





Cornell University  
Library

The original of this book is in  
the Cornell University Library.

There are no known copyright restrictions in  
the United States on the use of the text.

# Cornell University Library

BOUGHT WITH THE INCOME OF THE

SAGE ENDOWMENT FUND

THE GIFT OF

Henry W. Sage

1891

A.354044.

24) 11716

9306

Cornell University Library

**DA 690.H94W53**

Lands and tythes of Hurley Priory, 1086-



3 1924 028 138 257

010







# LANDS AND TYTHES

OF

## HURLEY PRIORY,

1086-1535,

BY

THE REV. F. T. WETHERED,

M.A., CH. CH., OXFORD; VICAR OF HURLEY, BERKS.

AUTHOR OF "ST. MARY'S, HURLEY"

JUNE, 1909.

" Owners and occupants of earlier dates  
From graves forgotten stretch their dusty hands,  
And hold in mortmain still their old estates."—LONGFELLOW.

READING:

Printed and Published by CHAS. SLAUGHTER & SON.

1909.

E.V.



## CONTENTS.

---

	PAGE.
PREFACE . . . . .	v.
LANDS AND TYTHES OF HURLEY PRIORY . . . . .	1
HURLEY CHARTERS AND DEEDS . . . . .	31
HURLEY PRIORS . . . . .	59
HURLEY PRIORY SEALS . . . . .	70
HURLEY VICARS . . . . .	74
DIOCESAN HISTORY OF BERKSHIRE . . . . .	86
CORRIGENDA . . . . .	88
APPENDIX . . . . .	90



## PREFACE.

---

In 1898, I published a Book entitled “St. Mary’s, Hurley.” It dealt with the history of the Church and Benedictine Priory of Hurley, being based on medieval Charters and Deeds. The originals had been conveyed to Westminster Abbey, of which Hurley Priory was a Cell,—at the time when the monks were driven away from Hurley, at the dissolution of the Priory, in 1535.

The Dean (Dr. Bradley) and the Chapter of Westminster had kindly lent to me, at the British Museum, in 1897, no fewer than five hundred and sixty two of these interesting documents for examination and scrutiny. Every one of these Charters and Deeds has reference either to the Church or the Monastery or the Manor of Hurley, in some shape or form. Such an opportunity was not to be lost ; and eventually, with the full consent of the Dean and Chapter, I published the whole of this marvellous collection of Parochial records, in epitomized form. They were the nucleus, in fact, of “St. Mary’s, Hurley.”

In addition to the epitomes, ten of the originals, were printed in full ; and these include, of course, the Charter of Geoffrey de Mandeville (I.) which founded Hurley Priory and recited the [re-]Dedication of Hurley Church,—in honour of the Blessed Virgin Mary, by Osmund Bishop of Salisbury (in 1086 or 1087).

Since the appearance of “St. Mary’s, Hurley,” I have secured more Hurley Deeds in the shape of transcripts in full, or of epitomes, direct from the Westminster Originals,—nineteen in all. I have also secured, from the Abbey, a full transcript of the original Charter granted by Henry III. to Hurley Priory, of which a brief abstract only (No. 56) appeared in “St. Mary’s, Hurley.” It is of great interest.

For the sake of convenience, I have tabulated these nineteen deeds in sequence with the epitomes as *numbered* in “St. Mary’s, Hurley.” They constitute a handsome supplement to the 562 abstracts already published. Thus, the earliest of this new set is “No. 563”—and so on down the list.

When Nos. *below* “563” are quoted without further note or comment, they refer to the epitomes as arranged in “St. Mary’s, Hurley.” The two earliest of this new group are of a very select order and are held in high esteem at the Abbey.

The Charter of Henry III., which I give in full, will be read with interest by those who care to look into the manners and customs of far distant feudal times, including the very strict and arbitrary requirements of the laws of forestry. At the time when this Charter was executed (Feb. 27, 1236), the whole of Hurley Manor was within the great forest of Windsor.

In further illustration of the strictness of the laws of forestry, a Charter of Henry IV., which I also print in full, is remarkable.

The original of this Royal grant to Hurley has altogether disappeared from the collection of Hurley Charters and Deeds now in the Muni-  
ment Room at Westminster. It was un-  
doubtedly at one time amongst the rest of our  
Hurley documents. Fortunately however, a  
copy of it—the genuineness of which there is no  
reason to doubt—has been preserved to us at the  
Public Record Office (2 Hen. iv., p. 3, m. 6),  
and of this I have thankfully availed myself.  
The Public Record Office is a marvellous insti-  
tution for the preservation of history.

It is impossible to overestimate the importance of medieval Charters and Deeds in throwing light, not only on the history but on the manners and customs of the times. In the Middle Ages nearly every transaction which took place was

reduced to writing, from Royal Charters down to petty conveyances of property of all sorts, with such details for instance as that the rent to be paid was, perhaps, twopence at Michaelmas, twopence at Easter ; a grain of wheat ; a pair of gloves ; or a gilly flower. All these occur as the sole rents to be paid in different Hurley Deeds. The monasteries of course had safes under lock and key ; and so it came to pass that large stores of title deeds and covenants of agreement were lodged within them for safe custody.

My thanks are cordially offered to the Dean and Chapter of Westminster for their courtesy in allowing search to be made lately in the Muni-  
ment Room at the Abbey for Charters and Deeds connected with Hurley, to enable me to complete my collection. The assistance given me by Mr. I. H. Jeayes, of the British Museum, deserves grateful acknowledgment. His help in connexion with “ St. Mary’s, Hurley ” was most valuable ; and now, again, his long and varied experience in manuscripts has been of great assistance to me. My best thanks are also due to the Revd. H. E. Salter, Vicar of Shirburn, for allowing me the use of his notes on Pyrton.

I have added a short chapter on the Priors of Hurley Monastery, with a revised list of their names and dates. These names and dates have been collected mainly from the Westminster series of Hurley Charters and Deeds.

I have been fortunate in the assistance which I have received from the Diocesan Registry of Salisbury, in tabulating a more perfect list of Hurley Vicars. Most of these Vicars and the dates of their Institutions have been gleaned from this source. Hurley, with the rest of Berkshire, formed part of the Diocese of Salisbury from 1075 to 1836. The earliest Vicar on the list is Robert, 1190.

In connexion with “The Lands and Tythes of Hurley Priory,” a short summary of the Diocesan History of Berkshire, in which Hurley is situated is not inappropriate as a concluding chapter. This History extends from 630 to 1909.

Of all Berkshire Parish Churches, none is more interesting than St. Mary’s, Hurley, the burial place of Edith—Edward the Confessor’s *Sister*.

F. T. WETHERED.

HURLEY VICARAGE, BERKS,  
1909.



## LANDS AND TYTHES OF HURLEY PRIORY.

Lands and Tythes were bestowed freely on Hurley Priory when Geoffrey de Mandeville (I.) founded his monastery on the banks of the Thames, as a cell to the great Benedictine Abbey of Westminster, in 1086 or 1087. His gift was made at the instance of the pious Leceline, his second wife, as a Thankoffering to God for all the bounties that had been heaped upon him by the Norman Conqueror. “Cujus consilio, gratia divina providente, hoc bonum inchoavi, et pro anima Athelaise prime uxoris mee matris filiorum meorum jam defuncte.” These are among the opening words of his Foundation Charter : and in a grant to Eye<sup>r</sup> he directs that he should be buried by her side—“Ego Geoffridus de Magnavilla pro anima mea et pro anima Athelays conjugis mee in Claustro Sancti Petri sepulte, qui etiam juxta eam sepeliendus sum.”

Such was the spirit and intention which actuated the founder of Hurley Priory.

The Foundation Charter was originally drawn up in triplicate, on one long sheet of parchment, —28½ inches in length and 13 inches in breadth.

<sup>1</sup> Cf. Cotton. MS. Faustina, 281 verso.

At the time it was executed, it was cut into three separate *membranes* of equal size and dimensions, the founder's seal being attached to each of these originals. After the names of the witnesses to the charter, Geoffrey de Mandeville expressly says "three brief Instruments [tria acta sunt brevia] recording this my gift and Foundation have been made; one I have deposited at Westminster, another at the Church at Hurley, and a third for myself and heirs who will succeed me; [and this I have done] in order to secure the everlasting integrity and permanence of the place."

I saw the original Charter now at Westminster in December 1897. It was then dark in appearance and had clearly been kept in the damp; but it was still quite legible. The seal, made of earth and wax, was in good preservation.

Here is an extract translated from the original Latin in which the Charter is written, ". . . . I have granted this, I say, and have given it in perpetuity to the said church of Hurley together with all my desmesne, free and without hindrance, whether in fields, or woods, meads, meadows, pastures, mills, waters, fisheries, fishing-rights, and with all their appurtenances,—that is to say—the Church of Waltham [Waltham S. Laurence] together with a hide and a half of land which belongs to it, and the soke of the Chapel of

Remenham. And [I have granted it] together with all other things with Tythes and property in live and dead stock without partition or division, together with all customs and liberties of old belonging thereto, as free and as clear of disturbance or exaction from all men as when my Lord the King gave and granted the same to me. I have also, together with the above named, given to the aforesaid Church, on the day on which I caused it to be [re-]Dedicated by Osmund, Bishop of Salisbury, in the presence of many other men and persons of great authority, the land of Edward of Watcombe [in Fawley co. Berks] as Endowment free and without hindrance, with all belonging to the same. On that day, moreover, the aforesaid venerable Bishop, of his Pontifical authority, with the assistance of the persons of high influence and dignity who were with him, confirmed all my grants which I made of my free will to the said Holy place for the eternal salvation of my own soul and for that of all my heirs,—that is to say, in all the manors which at that time were in my demesne, the third part of the Tythe of all my corn and two-thirds of the Tythe of all the stock both live and dead, in all my manors, without partition; and the whole of the Tythe of my pannages, in hogs and payments, without partition; and the whole Tythe of cheese, without partition; and the whole Tythe of flax and wool, without partition; and the whole Tythe of fowls, horses, and calves, and of orchards and vine-

yards, without partition ; and the whole Tythe of all my other goods from whatsoever the Tythe ought rightly and justly to be given to God." —Such were some of the founder's gifts ! A more beautifully worded and pious offering was never written than this Hurley Charter.

The earliest Hurley Deed of which I have had tidings from Westminster, since " St. Mary's, Hurley " was published, is a Precipe by Henry I. to his Justices, &c., in Oxfordshire, concerning Land in Pyrton and Clare which belonged to Hurley Priory<sup>1</sup> (No. 563). This twelfth century original is regarded at the Abbey as very choice and select. I did not receive my transcript of it until some months after " St. Mary's, Hurley " had been issued. It was not known of at Westminster in 1898. These same remarks also apply to No. 564. Both of these Deeds are literary gems, of their kind.

The relations between Hurley Priory and the rural parish of Pyrton, in Oxfordshire, form one of the most interesting episodes in the Monastic history of Hurley.

In Domesday book we find—" William holds of Earl Hugh 40 hides in Peritone [Pyrton]. Arable land for 26 ploughs. Now in demesne 6 plough teams. And 8 bondmen and 42 villeins and 4 freemen with 2 borders have 20 ploughs. There is a mill of 5 shillings, and 200

<sup>1</sup> Cf. No. 5, 26, 561.

acres of meadow. Pasture is 2 furlongs in length, by 1 in breadth. Woodland 18 furlongs in length and half a league in breadth. Stigand, the archbishop, held it.” Earl Hugh, the over-lord, was Hugh, Earl of Chester. William was son of Nigel, Constable of Chester: and, at some time previous to 1101, in which year Earl Hugh died, this William fitz Nigel made a gift to the Abbot and monks of Westminster of one hide in Pyrton and another in Clare, a hamlet in the same parish, while Gilbert Crispin one of the witnesses to the Foundation Charter of Hurley Priory [1086-1087], was Abbot of Westminster.

In 1121 Herbert succeeded Gilbert as Abbot of Westminster, and ere long decided, with the full consent of William fitz Nigel, to hand on the rents of the two hides in Pyrton and Clare to the Prior and monks of Hurley. On the death of William fitz Nigel, Henry I. issued a Precipe to his (William fitz Nigel's) son William, who had succeeded his father as Constable of Chester, commanding him to allow the Abbey of Westminster to hold their land in Pyrton “given to the church by your father for the soul of his wife, as free of scutage as your father originally gave it and as it was in the time of Hugh, Earl of Chester. And unless you do so, let Richard Basset cause it to be done. Witness,—Richard Basset at Woodstock.”

And the King also issued this present Precipe (No. 563) addressed to his Justices, Sheriffs and all his servants in Oxfordshire, commanding that the Prior and monks of Hurley hold their Land in Pyrton and Clare which Herbert, Abbot of Westminster and the Convent, gave them “*ita bene et libere et quiete de omnibus consuetudinibus et sicut Will. Constabularius Cestrie eam dedit in elemosina ecclesie de Westm.*” And as for William, the son of fitz Nigel himself, he wrote a letter<sup>1</sup> to Abbot Herbert and the Convent of Westminster confirming the gift, by his father, of the two hides &c., in Pyrton and Clare “*in ecclesia de Herleia ad usum monachorum de Herleia sicut illas eis dedistis, et sicut pater meus pro salute sua et suorum illas concessit.*”

No. 26 continues the Pyrton and Clare gift to Hurley Priory. It is a Confirmation by Agnes, daughter of William fitz Nigel, Constable of Chester, of the two hides of land which her father had given,—“*quas pater meus dedit ecclesie de Herleia pro anima sua, scilicet unam in Peritona et alteram in Claiora cum omnibus sibi pertinentibus, in bosco et plano et pasturis solutas et quietas et liberas ab omni servicio et consuetudine mihi et heredibus meis pertinenti.*” And she augments the gift by a special grant from herself of four solidates of woodland and all the land known as Hol-

<sup>1</sup> Cf. No. 5.

combe together with the dwelling house [Managio] of Harold—"sicut fosse tenent per circuitum usque ad cruces et quantum cruces obtinent uersus managium eorum et extra hec omnia ut habeant viginti porcos in meo bosco annuatim et absque pasnagio et donacionem de crofta illa quam Roger Bacun concessu meo eidem ecclesie dedit ;" and she concludes her Deed, which was evidently executed at Hurley, by stating that she had placed it [cartam meam] upon the Altar. In "St. Mary's Hurley," I have hazarded the conjecture that the Holcombe referred to in this deed of Agnes is in the parish of Newington. This, however, is incorrect. This Holcombe is, clearly, in Pyrton parish. The word "Holcombe" means "land in a hollow," and probably the Holcombe alluded to here is the hollow between Pyrton and Watlington, bounded on three sides by a ditch and on the fourth by crosses cut in the turf of the down, on the Watlington side. It would seem that Agnes' Deed was witnessed by her *grandson* "the son of Richard," not by her *nephew*, as I have translated "*nepote*" on p. 231 of "St. Mary's, Hurley." Agnes was the second wife of Eustace fitz John, one of the most prominent barons in the reigns of Henry I. and Stephen. He died in battle at Counsylth in the summer of 1157; and Agnes was married within a year to a second husband, Robert fitz Count, who confirmed her gifts to Hurley. In "St. Mary's, Hurley" Agnes' Confirmation

of her father's gift is dated "Temp. Henry II." It would, however, be better to limit the date as not earlier than 1149 or later than 1157, for the following reasons, viz. :—in a deed printed in Dugdale's Baronage,<sup>1</sup> which, from the mention of Robert, Bishop of Linclon, is not earlier than December, 1148, we meet with the name of William [junior] as if he were still Constable. If so, Agnes' Confirmation Deed cannot be earlier than 1149 nor later than 1157, for she speaks in it of "my Lord Eustace" as being alive. In "St. Mary's, Hurley," it is stated in a note<sup>2</sup> that probably William the Constable, junior, *ob. s.p.*, and that Agnes was his sister and coheiress; but the history of Pyrton supplies evidence that he had an heir, if not heirs; for in the Pipe Roll of the second year of King John, on the *membrane* for Oxfordshire, is this note, viz. :—"Robert son of Pain owes half a mark that entry may be made on the roll that Ralf of Hatten son of William the Constable gave to the said Robert a hide of land in Golder<sup>3</sup> [in Pyrton parish]. It is therefore certain that William had a son; but as he was alive in 1200 it is not unlikely that he was a minor in 1149; and a working hypothesis is that in the year 1149, when Henry landed

<sup>1</sup> p. 38.<sup>2</sup> p. 91.

<sup>3</sup> Printed *Madox Hist. of the Exchequer* p. 146, note 6. Also Roger son of William the constable is a witness in Dugd. Mon. II. 799.

in England hoping for the aid of the Earl of Chester and other Norman barons, King Stephen was able to attach Eustace fitz John (Agnes' first husband) to his side by agreeing that the Constableship of Chester should be taken from the young son of the late constable and given to Agnes, wife of Eustace.

Besides their property in Pyrton and Clare, the Hurley monks held land elsewhere in Oxfordshire,—at Kingham, on the borders of Gloucestershire. This Kingham property, including the source from whence it was acquired by Hurley Priory, is alluded to in a variety of Hurley Deeds.<sup>1</sup> No. 9 is a grant from Arnulf or Ernulf] de Mandeville, in perpetual alms, of one hide of land in Chaingheham [Kingham] to the Hurley monks. He offers it, he says, “cum corpore meo” for the salvation of his father's soul, his own soul and the soul of his wife, Domina Adeliza: and this same deed of grant contains a confirmation of it by Geoffrey de Mandeville (IV.), the said Arnulf's heir. This Arnulf was the eldest son of Geoffrey de Mandeville (II) whom Stephen had created Earl of Essex, in 1140.

After this last mentioned Geoffrey's death in 1144, from the wound he had received at the battle of Burwell whilst fighting against the king [Stephen], his eldest son, Arnulf was

<sup>1</sup> Nos. 9, 10, 58, 59, 60, 87, 92, 93, 94, 528, 561, 562.

disinherited and outlawed,—and he remained out of England for some time. Geoffrey de Mandeville (III.), Arnulf's younger brother, became Earl of Essex in 1156, the (lapsed) title being re-created in his favour, by Henry II. This earl died in 1166, having granted a knight's fee in Kingham to his disinherited elder brother, Arnulf. This grant was confirmed by William, the donor's younger brother, who succeeded him in the earldom and died in 1189. Arnulf made over the “villam de Chaingeham . . . . et hospitium Oxenfordie ad predictam villam pertinens” to his son Ralph “pro suo servicio et homagio.” And, finally, Ralph granted to the Church of St. Mary in Hurley—“unam hidam terre in Caingeham [Kingham] . . . . cum corpore meo sicut pater meus ante me fecit.” There is a quaint reference to the relations existing between Hurley Priory and Kingham in No. 87 which gives us a glimpse of the commissariat department of the monastery. In this Deed a certain William Marescall [blacksmith] of Cahyngeham and Juliana his wife surrender to Theobald, Prior, and the convent of Hurley all their land in that place in return for a grant from the Priory of a convent loaf and two others “de secundo pane,” a gallon of convent beer, “et alium secunde servisie [second beer—swipes],” one “ferculum cum potagio de coquina” every day; 5 *sh*, every year and two cartloads of wood at Easter and Michaelmas, with a suitable house [cum hospitio

competenti]. “Ita quod dictus Willelmus stabit in servitio dictorum Prioris et ecclesie ad voluntatem ipsorum ut sit forestarius, Budellus, Grangiarius fideliter et sine fraude et fictione ministraturus.” The date of this surrender and agreement is the time of Hen. III.—Edw. I. ? (*before* 1274).

And then there is an interesting friendly composition (No. 92) between John de Lyre Prior, and the convent of Hurley, and Maj. Richard de Aysse *al.* Esse, rector of Kayngham touching the third crop of the Tythes arising from the lordship of the late William de Magna Villa [William de Mandeville, Earl of Essex, 1166-1189, great grandson of the Founder of Hurley Priory] “within the boundaries of the said parish church of Kayngham *in possession of Hurley Priory from time out of mind*, and now whereas by the death of the lord of Kayngham as the rector asserts, there has come about a thorough mixing up of the demesne land with his parishioners’ lands, so that some of the lords of the vill have converted to their own use a great part of the lands of their tenants or rustics, and some small portion of the lordship has been sold or handed over to the parishioners for ever, the Rector begs that henceforth the said third crop of the Tythes may be commuted for a money payment yearly to which the Priory agrees. Dated : Hurley M. bef. All Saints’ Day, 1274.” This arrangement was approved by an Inspeximus and Confirmation

of Richard [Gravesend] Bishop of Lincoln at Stowe Park [apud parcum Stowe] v Id. Nov. [9th November] 1274 (No. 93), and this confirmation of the Bishop's was supported by the Dean and Chapter of Lincoln (No. 94), on xviii Kal. Dec. [14th November] 1274.

No. 564 is a notification from Gervase [de Blois] Abbot, and the Chapter, of Westminster to Earl Geoffrey de Mandeville and all his barons that they have granted to William, Prior, and the Convent of Hurley part of their pannage which from the time of the first Geoffrey de Mandeville their Church at Westminster owns in Eadelmatona [Edmonton co. Middlesex] in swine and money [1140-1144]. *Pannagium* is the right of feeding swine in the woods as well as the food itself, viz. : acorns, mast of beeches, &c. Gervase de Blois was a natural son of King Stephen. He was Abbot of Westminster, by no means a satisfactory one, from 1140 to 1159 or before that date, when he was deprived by Henry II.

Until lately, the whole face of the parchment on which this original Deed is written was much faded ; but a re-agent [a kind of acid] has not long ago been applied to it at Westminster, by experts with the greatest success ; so that now portions of the text which previously had been illegible have been entirely revived and made perfectly legible. There is no date to

this early Deed ; but inasmuch as Geoffrey de Mandeville (II.) was not created Earl of Essex, by King Stephen, until 1140, and died in 1144, we can limit the date within a very narrow compass. Edmonton, known as *Ædelmonton* until the sixteenth century, was held by Esgar (or Asgar), Staller<sup>1</sup> to King Edward the Confessor, at the time of the Norman Conquest. He was supplanted at *Ædelmonton* as well as in all his other manors by Geoffrey de Mandeville (I.),—the founder of Hurley Priory, who was grandfather to the above named Earl Geoffrey de M.

Three well known Berkshire manors—Hurley, East Garston and Streatley were held by Esgar in the days of Edward the Confessor. That is to say, all these three, at the time of the Norman Conquest, were amongst Esgar's “towns” or tons. “East Garston” is merely a corrupt spelling of “Esgar's ton.” The old sense of the word ‘town’ is nothing else than ‘enclosure.’

Esgar was the son of Adelstan and grandson of Tovi. His holdings were vast. They extended to Buckinghamshire, Middlesex, Hertfordshire, Cambridgeshire and Warwickshire, besides his three manors in Berkshire. He was dispossessed of them all by the Conqueror, who

<sup>1</sup> Stallere, *Stallarius Constabularius. Ducange, Gloss, Paris, 1846.*

bestowed them on Geoffrey de Mandeville (I.), as *tenens in capite*. “Asgar” was the older and northern form of Esgar’s name. “As” is an old heathen form of “God.” “Gar” in Anglo-Saxon means spear. Thus, Asgar means “the spear of God.” In the transmutation of the name to “Esgar” there may have been intended the idea of æsc—ash tree, a common material for making spear shafts.

No fewer than fifteen, out of the nineteen Deeds acquired by me, either in full transcript or in epitomes from the Westminster originals since “St. Mary’s, Hurley” was published, relate to East Garston or else to Streatley, in connexion with Hurley Priory. There are seven of the former and eight of the latter; but, inasmuch as the relations between Hurley and East Garston can be traced in them to an earlier date than those between Hurley and Streatley, I propose to consider them first. They date back to the reign of Richard I. [1189-1199].

The earliest Deed that I had previously met with connecting Hurley Priory with East Garston is one [1154-1184] in the reign of Henry II. It takes the form of a Precipe (No. 14) from the King to William of London, in which the former peremptorily orders the said William—“quod iuste et sine dilatione

et integre habere facias priori et monachis de Herleia decimas suas de Esegarestona [East Garston] sicut ipsi eas melius habuerunt, et plenius anno et die quo *rex Henricus auus meus fuit uiuus et mortuus.*"

Hen. I., the grandfather of Hen. II., came to the throne on August 5, 1100. *Madox* hands down to us a Deed of grant which was made in direct compliance with the above-quoted Precipe of Hen. II. It is headed—"A grant in Frankalmoigne to the monks of Hurley of the Tythe of Esgarestons, viz. : the third part of the Tythe of corn, two parts of the Tythe of money, &c.," and runs as follows, viz. : "Willelmus de Londonia omnibus hominibus, &c., &c." . . . "Sciatis me dedisse et concessisse Deo et ecclesie S. Marie de Herleia et fratribus ibidem servientibus, &c., decimam meam in Esgareston, videlicet tertiam partem decime totius annone mee de dominio et duas partes decime totius pecunie et totam decimam caseorum sine parte exceptis tribus caseis, &c., &c., &c. Hiis testibus—Mauricio, filio meo, Toma, pincerna, Somon de Bonavilla [with eight more]." At the foot occurs "Ex autogr : in arch : S. Petri Westmon." Polled. Endorsed in an old hand "Carta Willelmi de Londoniis," and "Carta Willelmi de Lond. de decimis de Estgrastone;" and in another part occurs "exhibitum fuit hoc Instrumentum coram nobis

officiali Sarum V Idus Maii—T. Querendon.”<sup>1</sup> There is no date of the year. Touching the question as to this William’s identity, we learn from the Pipe Rolls (1169-70) that William de London paid 20s. for a fourth fine; and that, in 1174-5, he paid 33 shillings scutage; and that he paid 20s. aid to marry the King’s daughter.<sup>2</sup> From 1166 to 1189 William de Mandeville (II.) [Earl of Essex] held the de Mandeville estates. He was great grandson to Geoffrey de Mandeville (I.), who had received Esegarestona (*i.e.* Esgar’s *ton*, in the hundred of Lamborne) from William the Conqueror. There is no difficulty whatever in showing as to *why* the manor, Esegarestona, was called upon to pay Tythe originally to Hurley Priory. In his foundation Charter, Geoffrey de Mandeville (I.) expressly grants “in omnibus maneriis que in dominio meo eo tempore erant, tertiam partem totius annone mee, &c., &c.,” to the Hurley monks. I copy these words from a large photograph of the original Charter (at Westminster)—now before me. And it was concerning the non-payment of the “tertiam partem” from this Lamborne Manor, due *ab initio*,—and with which William of London was now charged, that he received such a rap on the knuckles from Henry II., in Deed No. 14. It may be mentioned here that in Pope Nicholas’ Taxation, completed in 20 Edw. I.

<sup>1</sup> *Madox*.—Form. Angl. No. CCCCXXV. p. 251.

<sup>2</sup> 23 Hen. II., 1176-1177.

[1292] in order to subsidize the Crown, the following estimate occurs, viz. :—

*Decanatus Neubur.'*

	TAXATIO.	DECIMA.
	£ s. d.	£ s. d.
Ecclesia de Esegarston ..	12 0 0	1 4 0
Vicar in eadem . . . .	4 6 8	0 8 8
Porcio Prioris de Hurle in		
eadem . . . . .	1 10 0	0 3 0

In No. 511 of the Hurley series of Westminster Charters and Deeds, William Zepuswych, Prior of Hurley, leases to Isabel, relict of Thomas Chapman, of Ergaston, "all Tythes great and small, belonging to the said Prior in Ergaston, for seven years, at a yearly rent of twenty shillings." This is dated on the 30th April, 1400, more than a hundred years later than Pope Nicholas' Taxation here referred to.

In the first volume of "The Victoria History of Berkshire" Mr. J. H. Round pointedly remarks in an article headed "The Domesday Survey"<sup>1</sup>—"The present map of Berkshire preserves but trifling traces of men of the Domesday age" . . . . "but in all the county there is no such striking survival as at East Garston, where in its present form, an almost inevitable corruption, we may still distinguish the *ton* held before the Conquest by Esegar, staller and sheriff of Middlesex, Geoffrey de Mandeville's predecessor." And, in a foot note

<sup>1</sup> p. 302.

Mr. Round subjoins, “A recent attempt to restore the original name has failed but its form is well established. It was “Esegarestone” in 1185, and in the thirteenth century (*Testa*), and ‘Esgarton’ so late as 1351.” As one who took part in this endeavour [1904] to emancipate “East Garston” from the bondage of so corrupt a place-name, I welcome with much satisfaction this emphatic testimony on the part of Mr. Round, who is by far the greatest authority on place-names.

Regarding Esgar as a warrior, it may be remarked that even as it was the privilege of the men of Kent to strike the first blow at the battle of Senlac near Hastings, on Oct. 14, 1066, so was it the guerdon of the men of Middlesex, with Esgar their Sheriff at their head, to defend the Royal Standard of Harold on the battle-field. The then Lord of the three Berkshire manors of Hurley, East Garston and Streatley met face to face, on that day, the man who supplanted him in all three holdings, for it is said that Geoffrey de Mandeville (I.) fought along with the conqueror in the attack upon the Saxon strongholds.

Mr. Freeman writes in his “History<sup>1</sup> of the Norman Conquest of England” on “The campaign of Hastings”—“Those alone escaped, who, smitten down by wounds, were on the morrow thrown aside as dead, but who still

<sup>1</sup> p. 500.

breathed and who in time gained strength enough to seek their homes and still to serve their country. Abbot Leofric, sick and weary, made his way home to die in his own Golden Borough ; and Ansgar [Esgar] the valiant Staller, was borne back to London, his body disabled by honourable wounds,<sup>1</sup> but his heart still stout and his wit still keen to keep up resistance to the last : ” and further on—“ The chief military command in London was in the hands of the wounded Staller Ansgar, the Sheriff of the Middle Saxons. His wound was so severe that he could neither walk nor ride, but was carried about the city in a litter. But he is spoken of as being the soul of all the counsels taken by the defenders of London.”

Esgar died ingloriously at last, having recovered from his wounds. We learn from the Ely Book that having invaded Estre [Pleshey co. Essex], he was finally allowed by the monks of Ely to retain<sup>2</sup> it during his life, although as a fact they never recovered their property. After the Conquest, King William who ejected him from Hurley, East Garston and Streatley as

<sup>1</sup> *Wid. Amb.* 681.

“ Intus erat quidam contractus debilitate  
Renum, sique pedum segnis ab officio ;  
Vulnera pro patria quoniam numerosa recepit ;  
Lectica vehitur mobilitate carens.”

<sup>2</sup> Ely Book (pub. by the Anglia Christiana Soc., 1848) vol. i, p. 218.

well as from all the other manors to which King Edward had presented him,—turned him out of Pleshey and cast him into prison ; and the last notice I can find of this great but now fallen hero is from the Ely Book, as follows<sup>1</sup>—“ Sed ille rebus et honore sublimis, nec Deum nec hominem verebatur, regiis jussis nequaquam obtemperans, illum imitabatur, qui dixit; ‘ Ponam sedem meam ad aquilonem et ero similis altissimo ; ’ sed sicut ille de celo in infernum ruit, sic iste per superbiam et abusionem in scandalum et opprobrium cadendus est, Normannis, Dei judicio, Angliam bello citius optinentibus ; qui usque ad diem mortis ejus, cum pluribus aliis, in ergastulo carceris ferro astrictus, mox rutrudendus erat. Fratres autem cum in gratiam nec prece nec promissis ipsius animum flecti cognovissent, jaculo anathematis eum ferire adgressi sunt, nec sententiam super eum ullo die pretermittebant. Quod ille diutius parvipendens, licet magnus et potens in regno, uti regis constabularius, ab ecclesia eliminatus et fidelium consortio, ad correctionem, vix tandem cunctis jam detestabilis effectus, compulsus est pervenire.”

In fact Esgar was altogether spoilt. Staller, Constable—first man of all, with Edward the Confessor, his erstwhile patron, Esgar had lost his balance. Unmanageable at last by King

<sup>1</sup> Ely Book vol. i, p. 217.

Edward, he was severely dealt with by King William, the exasperated Conqueror. He lost his liberty, and then his life, in a prison cell. How was the mighty fallen ! Well might Esgar, the erstwhile lord of so many manors exclaim with the fallen Wolsey,<sup>1</sup> of later days—

. . . . . “ I have ventur’d ”  
 “ Like little wanton boys that swim on bladders,”  
 “ This many summers in a sea of glory ; ”  
 “ But far beyond my depth : my high blown  
     pride ”  
 “ At length broke under me ; and now has left  
     me,”  
 “ Weary, and old with service, to the mercy ”  
 “ Of a rude stream, that must for ever hide me.”

Thus the curtain draws down upon a very remarkable chapter in the history of bygone Hurley.

No. 565 is a very interesting Covenant of the Archdeacon of Berkshire, with reference to a dispute between the Prior and monks of Hurley on the one side and the parson of “ Esgareston ” on the other, concerning the Tythes of Meidenecot [Maidencourt, a farm in East Garston] and Sortescumb [Shortcomb], all in Berkshire. Peculiar interest attaches to this Deed from the fact that a certain Robert, Vicar of Hurley, figures amongst the witnesses. Gilbert, chaplain of St. Mary’s Church, Reading ; and Thomas, chaplain of St. Giles’ [Sancti

<sup>1</sup> *Shaks.* “ Henry VIII.”—Act. III. sc. 2.

Egidii], Reading, are also witnesses to this Covenant. It was executed in St. Mary's, Reading, "in the year of the Incarnation of our Lord, 1190." Robert is the earliest Vicar of Hurley, yet known. Next to him comes a certain Richard, who witnesses a Grant (No. 70) by Albin of Hurley to Henry Culbel and Matilda his wife, in the reign of Henry III.; whereas the first Vicar whose exact date we know of is Adam de Schireborn [Shirburn—co. Oxford], inducted in 130<sup>4</sup>. His name is found in the earliest Salisbury Register, known as the "Gandavo" Register, as it dates from the time of Bishop Simon, of Ghent [1297-1315].

On the Festival of S. James [July 25], 1272 (No. 570) a Covenant between the Prior and Convent of Hurley and Geoffrey the perpetual Vicar of Burwildebur [Bucklebury] leases to "the said Geoffrey" all the Tythes in Esegarston for five years at a yearly rent "for which payment Geoffrey has entered into a bond with the official of Sarum." On August 10th, 1320, a deed dated from Radyng (No. 571) recites a suit between the Prior and Convent of Hurley and John the perpetual Vicar of Esegarston respecting "all the lands of William formerly of London" in the vill of Esegarston Schortecumbe and Maydenecote; and at last the Vicar was allowed to "hold the said Tythes for full term of his life on lease from the Priory, by paying yearly 10 sh. at Hurle at Easter."

Nos. 572 to 574 (both inclusive, No. 572 being counterpart of No. 571) have reference to Tythes due from Esegarston, Maydenecote and Schortecumbe, to the Prior and Convent of Hurley, in the years 1320, 1321 and 1333 respectively. In No. 574 Esegarston is spelt Estgarston in two places: and in No. 579 a bond is made, at Hurley, for 100 shillings payable by John Colrygge of Ergaston to William Zepuswych Prior and the Convent of Hurley, in the year 1400. It will thus be seen that this Esgar's *ton* in the hundred of Lamborne was spelt in a variety of forms in the Middle Ages; but, in every one of them the origin and intention of the name is abundantly clear.

The "Victoria History of Berkshire" remarks<sup>1</sup>— "The Lambourn fees are difficult to trace. In the text [of Domesday] the whole of Lambourn appears divided between the King, Hascoit Musard, Geoffrey de Manneville, and Mathew of Mortain." The name of Esgar's *ton* nowhere occurs in Domesday. Domesday simply states, concerning one of the holdings<sup>2</sup> of Goisfridi de Manneville,

"Esgar tenuit de rege Edwardo."

In "St. Mary's, Hurley" the following passage occurs, in connexion with East Garston, viz. :— "East Garston seems to have been culled from

<sup>1</sup> Vol. I. p. 331, note.

<sup>2</sup> No. XXXVIII.

Lamborne, a portion of which, Domesday tells us, was “in dominio regis” and therefore quite easily transferable to Esgar as *tenens in capite* under the Crown.” I take this opportunity of cancelling these words. As a fact, that particular Manor in the hundred of Lamborne which was held by Esgar, in the Confessor’s reign, was *not* “*in dominio regis*” after the Conquest at all. Esgar’s holding in that hundred was exactly identical in its extent with that of Geoffrey de Mandeville (I.), who succeeded him in his holding in the Lamborne hundred as well as in all his other holdings in England, *i.e.*, in eleven different counties, including (in all) the whole or part of more than a hundred manors.

As I have already said,—eight of the Hurley Deeds which I have lately secured, in the form of abstracts, from Westminster relate to Hurley in connexion with Streatley [Estralei, as that manor is called in Domesday Book]. Thus, No. 567 is a Notification by Theobald, Prior of Hurley, dated May 1, 1255, of a Covenant then made between Hurley Priory and Walden Abbey [co. Essex], in which the Prior and monks of Hurley granted to Dom. Absalom, Abbot, and the monks of Walden, by way of exchange, all the Tythes of “Waleden-with-Wygefolle, Great Waltham, Pleshey” and other places, in return for the Church of Strat’ [Streatley] “with all its appurtenances,” as well as the Patronage of the Living.

The Church of Streatley, be it noted here, had “with all its appurtenances” been conveyed by Bishop Herbert Poor, of Old Sarum, to Walden Abbey on February 15, 1215, the small Tythes, &c., being then specially reserved by him in his Charter of conveyance. I mention this important fact in the Church history of Streatley in order to explain clearly how it had come to pass that Walden Abbey in Essex had relations of any sort, ecclesiastically, with Streatley in Berkshire.

We learn, on the authority of the Walden Register<sup>1</sup> for 1387, that in the year 1258 the Covenant referred to in No. 567 between Hurley Priory and Walden Abbey had been renewed by Geoffrey, the then Prior of Hurley, and Dom. Absalom, who was still Abbot of Walden, concerning the exchange of all the Tythes of Waleden-with-Wygefolle, Great Waltham, Pleshey,” &c., for the church of Streatley with all its appurtenances, as well as the Patronage of the Living. And, in confirmation of this said renewal, No. 568 supplies us with a Deed of G. Egidius [de Bridport], Bishop of Sarum, “in consideration of the Prior and Convent of Hurnl’;” and with the assent of the then Abbots of Westminster and Walden, he assigned the Church of Streatley to the Prior [Geoffrey] of Hurley, but at the same time “orders and decrees that the presentation and collation of

<sup>1</sup> *Harleian MS.* No. 3697.

the said Vicarage [of Streatley] shall belong to the Bishop [of Sarum] and his successors." This Deed is dated—the Feast of the Annunciation of the B.V.M., 1258.

No. 569 is an Inspeximus and Confirmation of the preceding deed by Robert de Wykehampton, Dean, and the Chapter of Sarum.

In No. 575, dated Thursday after F. of St. Katharine [25 Nov.] 1343, Streatley is again referred to in an Acquittance by Thomas de . . . . rector of the free Chapel in Pleshey Castle to John de Tothale Prior of Hurley [1340-1349] for six shillings and eight pence, "in part payment of the lease of his portion in Stretlee." This Prior, John de Tothale, figures unpleasantly in a parochial breach of the peace at Hurley, according to a Patent Roll for the year 1340. A commission of oyer and terminer heard a complaint, at Andover on Sept. 18th of that year, made by one John de Mauduyt, that John de Tothale, prior of Hurley, brothers John Baroun, John de Helmeden and Jordan Moynne, his fellow-monks, John 'le prioures cok [prior's cook] of Hurlee' and a large number of others, assaulted him at Hurley and carried away his goods, Richard le Whelere of Lidlewyk [Littlewick co. Berks] being one of his assailants on this occasion. And, yet again, a similar commission sat at Westminster on May 8th, 1342, and heard a like complaint from the same John

Mauduyt, viz. : that John de Tothale, Prior of Hurley, together with Nicholas de Harleston and John de Helmeden his fellow-monks along with others, including Walter le Cok of Hurley and Simon Prat, " palfrayman," had assaulted him at Hurley, imprisoned him and carried away his goods. The last time we hear of this Prior in Hurley Deeds (No. 421) is on Nov. 11th, 1349 when Burdus de Pillis, Canon of Arras and Papal commissary, absolved him from the sentences of excommunication, suspension and interdict incurred through default of the payment of five shillings " pro quadam pacione de ecclesia de Cippenham dioc. Norwyc. [Chippenham, co. Camb.] due in respect of procurations." Eventually, on Feb. 28th, 1352, the Abbot [Simon Langham] and Convent of the Abbey of Westminster, at the King's request, assigned to him a cell in the Abbey with " such full livery " and " an honourable chamber in the infirmary of the Abbey, as pertains to a monk of the house " with the full understanding that " such assignment shall not prejudice the house as a precedent."<sup>1</sup>

In 1348 we come across a deed (No. 576) in which John de Tothale, as Prior of Hurley, together with the convent of Hurley, makes over on lease to Walter de Chyrton all their lands, tenements, &c. (including Tythes) in Strelle, from July 25th to the following May 31st, for seventeen marks. Dated,—F. of St. James

<sup>1</sup> *Pat. Roll* 1352 m. 10.

[25 July]: and in 1380 we find a Deed (No. 577) containing a very interesting lease for thirteen years by W. Zepeswych, Prior, [1380-1400] and the Convent of Hurley to the Vicar of Cumpton [Berks], Richard Parnecote of Goryngg [Goring co. Oxon], John Parnecote, Sen., Roger Frewyne, and John Haycroft of Stretlee, of the Rectory of Stretle, well and sufficiently enclosed, &c., &c., &c., and including sheep, cows, cart horses, &c., &c. Rent twenty-one marks; one of the conditions of the lease being that the lessees are to keep the chancel of the Church in good repair. Dated, Hurle, Vigil of St. Michael, 4 Rich. II. And there is mention made first of a Bond in £20 (No. 580) by Richard Parnecote of Redygn, John Parnecote his son, and Thomas Ulney, of Stretle, to John (Feryng) Prior of Hurley and the Convent there, dated Morrow of the Purification, 10 Hen. IV. [1409], and then of a lease (cancelling the Bond) to the same parties (No. 581), by the aforesaid Prior and Convent of the rectory of Stretle with all Tythes, &c., Annual rent 10 pounds. Dated,—Vigil of the Annunciation, 10 Hen. IV. [1409].

No. 566 is a Covenant made between the Prior and Convent of Hurley and a certain Brother Terric, Prior of S. John of Jerusalem, concerning the Tythes of Hurley, during the first half of the thirteenth century. The date of it can be ascertained no closer than this. No. 578 is an Acquittance given by the Chaplain of

Plessey to William Zepeswych, Prior of Hurley, "for forty shillings in payment of all debts." This Prior was much to be dreaded. Readers of "St. Mary's, Hurley," will remember that a general pardon was given to him (No. 512) "for all treasons, insurrections, rebellions and felonies committed by him before the Feast of Purification 1400, "murdris et raptibus mulierum exceptis"! A dreadful man.

An epitome of a Charter of liberties and quitances, granted by Hen. III., on Feb. 27, 1236, in favour of Hurley Priory, appears in "St. Mary's, Hurley" (No. 56); but, as I am anxious to let my readers see the whole of it—from beginning to end—I have translated it from the original now at Westminster Abbey. A Copy of this Charter of Hen. III. finds place amongst the Charter Rolls<sup>1</sup> at the Public Record Office; and this is the only copy of it which is worthy of consideration. The Charter is dated from Woodstock on Feb. 27th, 1236, and is framed upon a similar Royal Charter by this same King in favour of Westminster Abbey on July 1, 1235, which is also dated from Woodstock. This last named document is of course also entered in transcript on the Charter Rolls.

I append a Glossary in explanation of the more difficult words and phrases.

<sup>1</sup> Ch. R. 20 Hen. III. m. 5 or 6.

The other Royal Charter of which I have made mention in the Preface is by Hen. IV., in which he grants wood to the Hurley monks for the repair of Hurley Church, the Church belfry and the houses of the Priory. The wood is to be cut in the monk's *own wood* at Hurley, then a portion of Windsor Forest. This Charter is further interesting on account of a reference in it to Mary de Bohun, the first wife of Henry IV. She was descended from Geoffrey de Mandeville (I.). Unhappily, as I have already said, the original of this Charter appears not now to exist amongst the Hurley series of Westminster Charters and Deeds; and so I can only suppose that it must either have been destroyed by vermin at Hurley Priory, before the monastery was dissolved in 1535, or else devoured<sup>1</sup> by mice and beetles in the Muniment Room at Westminster Abbey, in post Reformation days. It is fortunate that a copy<sup>2</sup> of it exists amongst the Patent Rolls at the Public Record Office: and I am thus enabled to give a translation of it, in English. It will be noticed in this Charter that a Religious House situated in Windsor forest was not allowed to fell timber or cut other wood, even for the repair of the Church or monastery—*from their own wood* (within the forest) without the special permission of a Royal grant, set down in writing!

<sup>1</sup> Cf. No. 566.

<sup>2</sup> Pat. Roll 2 Hen. IV p. 3 m. 16.

## HURLEY CHARTERS AND DEEDS.

(Continued from "St. Mary's, Hurley," 1898).

No. 563. H[enricus]<sup>1</sup> Rex Angl[orum] Justiciariis Vice-comitibus et Omnibus ministris suis de Oxenefordsire salutem. Precipio quod prior et monachi de Herleia teneant terram suam in Peritona et in Claiora quam Hereb.<sup>2</sup> Abbas Westm. et conventus eis dederunt ita bene et libere et quiete de omnibus consuetudinibus et sicut Will. Constabularius Cestrie eam dedit in elemosina ecclesie de Westm. Et precipio et firmiter defendo ne ullus super hoc eis inde forisfaciat vel etiam manum in ea extendat nisi per priorem et monachos ecclesie de Herleia nec iniuriam eis inde inferat vel contumeliam sed perhenniter ad sustentacionem monachorum libere et quiete remaneat.

Teste Ric. Basset apud Wdestoc.

[Date, 1121-1133].

<sup>1</sup> A select, early Deed.

<sup>2</sup> Herbert succeeded Gilbert [Crispin] as Abbot of Westminster in 1121, and died (as abbot) in 1140. Gilbert [Crispin] was one of the principal witnesses to Geoffrey de Mandeville's (I) Foundation Charter of Hurley Priory.

(Translation of No. 563).

Henry King of the English to his Justices, Sheriffs and All his servants in Oxfordshire greeting. I command that the Prior and monks of Hurley hold their land in Pyrton and Clare<sup>1</sup> which Herbert, Abbot of Westminster, and the Convent gave them, so well and freely and quit of all customs, and as William the Constable of Chester gave it in alms to the Church of Westminster. And I command and give strict warning that no one shall on this account exact forfeit from them thenceforth or even stretch out a hand on it, except through the Prior and monks of the Church of Hurley nor bring injury nor reproach on them thenceforth, but it shall ever remain freely and quit, for the support of the monks.

Witness—Richard Basset, at Woodstock.

No. 564. Gervasius dei gratia Abbas totusque conuentus sancti Petri Westmonast. dilecto fratri et amico Comiti Gaufrido [de Magnavilla] et omnibus baronibus suis salutem. Notum est vobis omnibus quod communi consensu totius capituli nostri concessimus Deo et beate Marie semper virginis et sancto Leonardo<sup>2</sup> confessori et

<sup>1</sup> Clare is a hamlet in Pyrton, near Watlington, Oxon, with about 80 inhabitants now. Cf. Nos. 5, 15, 26.

<sup>2</sup> There were at least two altars in Hurley Church: one dedicated to St. Mary the Virgin and St. Leonard. (Cf. Nos. 187, 195, 196) and the other to St. Michael (Cf. No. 77).

Willelmo priori cunctisque successoribus suis et familie Christi Monachis videlicet Herleiensis monasterii partem pasnagij nostri quod a diebus primi Gaufridi de Magnavilla possedit ecclesia nostra in Eadelmatona in porcis et denarijs. Et precamur et volumus ut nos idem pro amore Dei et animarum uestrarum salute concedatis et faciatis et litteris uestris secundum quod in carta ista videbitis ad ministros uestros confirmatis. Vale.

[Date, 1140-1144].

A select Early Deed with the Abbey Seal, and a reverse—the Abbot's small Seal: in light red wax, oval  $\frac{3}{8}$ in. by  $2\frac{1}{2}$ in.

(Translation of No. 564).

Gervase by the grace of God Abbot and the whole Convent of St. Peter of Westminster to their beloved brother and friend Earl Geoffrey de [Mandeville] greeting. Be it known to you all that with the general consent of our whole Chapter we have granted unto God and the Blessed Mary ever Virgin and to St. Leonard Confessor and to William Prior and to all his successors and to the family of Christ that is to say the Monks of Hurley Monastery part of our pannage<sup>1</sup> which from the days of the first

<sup>1</sup> *Pannage* is the *right* of feeding swine in the woods, as well as the food itself, viz.:—acorns, mast of beeches, &c.

Geoffrey de Mandeville our Church possessed in Edmonton, in pigs and money. And we pray and will you for the love of God and the salvation of your souls, to grant and perform, and by your letters confirm the same, according as you shall see in that Charter, to your servants.

[Date, 1140-1144].

---

EPITOMES, MADE AT WESTMINSTER  
ABBEY, IN NOVEMBER 1908.

No. 565. Deed of G., Archdeacon of Berks, notifying that a controversy between the Prior and Monks of Hurley and Ralph, parson of Esegareston, respecting the Tythes of Meidenebet [Maidencourt, a farm in Eastgarston] and of Sortescumb<sup>1</sup> [Shortcomb] has been settled, namely

<sup>1</sup> Sortescumb. *Inq. post mort.* Herbert Pecche. *Writ*, 7 Sept. 56 Hen. III [1272]. *Inq.* Wednesday the feast of commemoration of All Souls [Nov. 2], 56 Hen. III. [Berks].—"Lothington manor, held of Robert de Sortecombe in chief in free socage by service of 1d. yearly." *Calendar of Inquisitions C. Hen. III. File 42 (15)*—

*Inq. nonarum*, fol. 7 b. Edw. III. [1340]; Decanatus de Nywebury. *Esgarston*—Johannes de Schortecombe Clemens de Odyham [etc.] juratores dicunt per sacramentum suum quod nona garbarum agnorum et vellerum in eadem parochia venditorum [etc.]. "This jury was all called, probably, from the vill close by."

that the Prior and Convent of Hurlea may have the third part of the Tythes of the annual produce [annone] of all the lordships of Meidenecote, without sharing [sine participatione], and the third part of the Tythes of lambs, young pigs, cheeses, flax and wool and pannage and of all things living or dead of which Tythe ought to be given: and similarly a third part of all the Tythes of the whole land of Sortescumb tilled or untilled

“Et si aliquid de dominio de Meidenecot vel  
 “de Sortescumb mutatum fuerit in villana-  
 “gium a morte Osberti de Herlotera usque  
 “ad diem confectionis huius instrumenti vel  
 “de cetero mutetur non . . . . tali villanagio  
 “dictam terciam partem recipiet. Et similiter  
 “si aliquid de villanagio ab eodem termino  
 “mutatum sit in dominium, nichilominus  
 “persona ecclesie de Esegareston de tali dominio  
 “decimas suas plene percipiet.”

Witn.—Mag. Robert de Tacham, Mag. Homerus de Hurlea, Mag. Walter de Widehaia, Philip capellanus de Etinged, Gilbert, capellanus Sancte Marie de Rading, Thomas, capellanus sancti Egidii de Rading, Robert, vicar of Hurlea.

This covenant was made in the Church of St. Mary of Rading, in the year of the Incarnation of our Lord, 1190, confirmed by corporal oath on either side.

[Date, 1190].

No. 566. Covenant between the Prior and Convent of Hurley and frat. Terric, pr[ior of St. John of Jerusalem]<sup>1</sup> concerning the Tythes of Hurley.

No. 567. Notification by Theobald, Prior of Hurleye, and the Convent there, of a covenant made between them and Dom. A[bsalom], Abbot, of Waleden [Walden, co. Essex] and the Convent there, whereby they grant to the latter, by way of exchange, all the Tythes, great and small, arising from their parishes, viz. :—Waleden-with-Wygefolle, Great Waltham and Pleshey, Alta Estra, Thorl', [Thorley], Enefeld and Great Mimmes—in return for which the said Abbot and Convent have granted to them the Church of Stratl' [Streatley, co. Berks] (which they had to their own uses) with all its appurtenances.

And because the issues of the aforesaid Tythes are more ample and fruitful than those of Stratle' Church it is agreed between them that the Abbot, etc. and his successors shall pay

<sup>1</sup> The handwriting is of the first half of the thirteenth century. The seal (broken) is a head of St. John Baptist.

This Prior Terric de Nussa or Mussa occurs in Dugdale's Monasticon in 1237-1238, only a few words of this Charter remain, the rest having been devoured by beetles, or mice at Westminster Abbey.

yearly to the said Prior, etc. nine silver<sup>1</sup> marks “apud Sanctum Bartholomeum<sup>2</sup> Canonicorum London,” viz. :—at Midlent four and a half marks, and at Midsummer a similar sum.

The Abbot, etc., also grant right of patronage and presentation to the said Church, to Hurley Priory.

Dat. F. of SS. Philip and James [1 May]  
1255.

This deed ends with a statement that the valuation of the aforesaid Tythes is twenty seven and a half marks, and those of Stratl' Church, eighteen marks.

#### Fragment of the Priory Seal.

No. 568. Deed of G. E[gidius de Bridport]<sup>3</sup> Bishop of Sarum by which in consideration

<sup>1</sup> A silver mark in the reign of Hen. I. was worth only six shillings and a penny, in weight ; and some were coined, and some only cut in small pieces ; but those that were coined were worth something more than the others.

<sup>2</sup> The Augustinian Priory of St. Bartholomew the Great, Smithfield [Smoothfield] was commenced by Rahere in 1123. Rahere was the jester or minstrel of Henry I.

<sup>3</sup> G. Egidius [Giles] de Bridport was Bishop of Salisbury from 1257 to 1263. He is said to have founded the “Vaux” college at Salisbury in 1260.

of the Prior and Convent of Hurnl', patrons of the Church of Stretl' [Streatley], with the assent of R[ichard Crokesley]<sup>1</sup> Abbot of Westminster as well as of the Abbot [Absalom] etc. of Waleden, former patrons, having submitted themselves, in respect of the said church, to the said Bishop, that he may give and assign the said church and vicarage to whom he will—he hereby, with the assent of the Chapter, assigns the said Church, etc., to the said Prior of Hurnl' [Geoffrey], but at the same time orders and decrees that the presentation and collation of the said vicarage shall belong to the Bishop and his successors.

Dat. at Wudeford, F. of Ann. of B.V. Mary  
[25th March] 1258. Seal missing.

No. 569. Inspeximus and confirmation by  
<sup>2</sup>R[obert de Wykehampton], Dean, and the

<sup>1</sup>Richard Crokesley was Archdeacon of Westminster, when elected abbot of Westminster in 1246. He was poisoned at Winchester by a Poictevin in 1258.

<sup>2</sup>Robert de Wykehampton, Dean of Salisbury, was next Bishop, but one, of Salisbury to Egidius [de Bridport]. When Dean, he (sucessfully) objected [1262] to the visitation of the Cathedral by the Bishop [Egidius] as contrary to the constitutions of St. Osmund. It was not until 130 years later than this date when Bishop Waltham effected a "composition" between himself and the chapter that any visitation of the Cathedral was agreed to.

Robert de Wykehampton was Bishop of Salisbury from 1274 to 1284.

Chapter of Sarum, of the preceding order of  
'E[gidius] Bishop, confirming Stratleya Church  
to Hurley Priory.

Dat. Sarum, the morrow of the Annunciation  
[26 March] 1258.

Seal of the Dean and Chapter, brown wax.

No. 570. Covenant between the Prior and Convent of Hurle on the one part, and Geoffrey perpetual vicar of Burwildebur<sup>1</sup> [Bucklebury co. Berks], by which the Prior, etc. leases to Geoffrey all the Tythes, great and small, within the limits of the parish of Esegarston for a term of five years for two marks and a half, yearly rent, and the payment of 20 sh. in addition, yearly at Midsummer, for which payments Geoffrey has entered into a bond with the official of Sarum.

Dat. F. of St. James [25 July] 1272.

<sup>1</sup> Bucklebury=Burhildebyry, Burwaldebury, in the time of Hen. III.

"Burhildebyry a tenement held of the abbot of Rading by service of 10s. yearly."

Cf. Cal. of Inq. post mort., &c., Hen. III., vol.I p. 128, 1904.

Bucklebury was amongst the possessions of Reading Abbey for centuries before the dissolution of the monasteries.

In 1541 Bucklebury was granted to John Winchcombe 'Jack of Newbury.'

Nos. 571, 572. Deed and counterpart reciting that whereas a suit has been moved between the Prior and Convent of Hurley, <sup>1</sup>Sarum dioc., prosecutors [actores] on the one part and John, perpetual vicar of Esegarston, the accused party [partem ream] on the other part, respecting the lessees' Tythes issuing from all the lands of William,<sup>2</sup> formerly of London, in the vill [villa] of Esegarston, Schortecumbe [Shortcomb] and Maydenecote [Maidencourt, a farm in East Garston]—at length a definitive judgment having been passed in favour of the Priory and against the said Dom. John, it has been agreed, by the intervention of common friends, that the said Dom. John may hold the said Tythes for full term of his life on lease from the Priory, by paying yearly 10 sh. at Hurle, at Easter.

Dat. Radyng IV Id. Aug. [10 Aug] 1320.  
(Seals missing).

No. 573. Notification by the Dean of Newbury to the Official of Sarum that in accordance with the latter's mandate to him dated xiii. Kal. Apr. [20 March] 132 $\frac{1}{2}$  he has warned Dom. John, perpetual vicar of Esegarston to

<sup>1</sup> Berkshire was in the Salisbury Diocese from 1075 to 1836.

<sup>2</sup> Cf. Nos. 14, 573, 574. W. of London paid, 20s. aid to marry the king's daughter, (*Pipe Rolls*, 23, Hen. II., 1176-1177).

give satisfaction to the Prior and Convent of Hurley in respect of a sum of four marks arising from the Tythes of lands sometime belonging to William de London,<sup>1</sup> in Esegarston, Maydene-cote and Schortecumbe, unjustly detained by him for the years 1319, 1320.

Dat. Syfford [Shefford] Tues. bef. F. of St. John a. p. l. [5 May] 1321.

No. 574. Definitive sentence of the Official of Sarum, in favour of the claim of the Prior and Convent of Hurley to the lesser Tythes arising from the demesne lands of the late <sup>2</sup>William "dictus" de London in the vill of Estgarston, Maydenecote and Schortecombe: and mandate of the same Official to Dom. John, perpetual vicar of Estgarston to that effect.

Dat. Sarum. X Kal. Aug. [23 July] 1333.

No. 575. Acquittance by Thomas de [surname omitted], rector of the free chapel within the castle of Pleshey, to John de Tothale, Prior of Hurley [1340-1349], for six shillings and eight pence, in part payment of the lease of his portion in Stretlee.

Dat. Hurlee, Thursd. aft. F. of St. Katharine [25 Nov] 1343.

<sup>1</sup> Cf. Nos. 14, 571, 572, 574.

<sup>2</sup> Cf. Nos. 14, 571, 572, 573.

No. 576. Lease by John de Tothale, Prior of Hurle and the Convent there, to Walter de Chyriton, citizen of London, of all the lands and tenements, rents, customs, and services which the said Prior, etc. have in Stretle, together with all Tythes and revenues pertaining thereto, for a term extending from Friday, Feast of St. James, Ap. [25 July] up to the Feast of Pentecost<sup>1</sup> next following [31 May, 1349] paying a rent of 12 marks at the F. of St. Peter ad-vincula [August 1st] and five marks at the F. of the Purification.

Dat. Hurle, F. of St. James [25 July] 22  
Edw. III. [1348].

Small red seal of arms.

No. 577. Lease, for a term of 13 years, by William Zepeswych, Prior of Hurley and the Convent, to Dom. Henry, Vicar of Cumpton, in co. Berks, Richard Parnecone, of Goryngg [Goring co. Oxon], John Parnecone, Sen., Roger Frewyne, and John Haycroft, of Stretlee,—of the rectory of Stretle, well and sufficiently enclosed with hedges, and all Tythes with their lands, tenements, etc. in the parish and vill of Stretle and with all the following stock, viz. :—140 sheep, price per head 2 shillings—two cows, price per head 13 sh. 4d.—three carthorses, price per head 6 sh. 8d.—eight quarters of barley,

<sup>1</sup> Whitsun Day.

at 3sh. 1od. per qr.—one cart with cord and harness for three horses, price 8 sh.—one good plough with coulter and share price 5 sh.: the lessees to keep the houses and enclosures in good repair, and at the end of the term to surrender the said stock, or their value at the option of the Priory—and also they shall at their own expense keep the chancel of the said Church and all the houses of the said rectory in good repair: and they shall not store the fruits of the said rectory elsewhere than in the rectory. The annual rent of 21 marks to be paid at Christmas and Midsummer.

Dat. Hurle, Vigil of St. Michael [28 Sept.]  
4 Rich. II. [1380].

Two small seals.

No. 578. Acquittance by Hugh Peyntour, chaplain of Plessey to William Zepeswych, Prior of Hurley, for forty shillings in full payment of all debts.

Dat. Plessetz 25 April, 9 Ric. II. [1386].

Small Seal.

No. 579. Bond by John Colrygge of Ergaston to Dom. William Zepuswych, Prior of Hurle and the Convent, in 100 shillings to be paid to the latter at the next Michaelmas.

Dat. Hurle, Tuesday, 21 March, 1 Hen. IV.  
[1400].

No. 580. A Bond in 20 pounds by Richard Parnecote, John Parnecote and Thomas Ulney to John [John Feryng] Prior of Hurley [1409-1415] and the Convent there [*v.* No. 581].

Dat. Morrow of the Purification [3 Feb]. 10 Hen. IV. [1409].

No. 581. Lease, for term of five years, by John Feryng, Prior of Hurley and the Convent there, to Richard Parnecote, of Redygn, John Parnecote his son, and Thomas Ulney, of Stretlee, of the rectory of Stretlee with all Tythes, and lands, meadows, and pastures thereto belonging. Annual rent 10 pounds, viz.:—50 sh. payable at Lady Day, 100 sh. at Midsummer and 50 sh. at F. of Purification: the lessees to keep all buildings and enclosures in good repair.

And whereas the said lessees entered into a bond of 20 pounds with the said Prior, that bond is now null and void.

Dat. Vigil of the Annunciation [24 March] 10 Hen. IV. [1409].

Three small seals.

---

## A CHARTER OF HENRY III.

(Epitome No. 56 in "St. Mary's, Hurley")."

For the Prior of Hurley

Henry by the grace of God King of the English, Lord of the Irish, Duke of the Normans [and] men of Aquitaine, and Count of Anjou, to his Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justices, foresters, Sheriffs, Stewards, servants and to all his Bailiffs and faithful [subjects],—greeting. Know that We, by divine intuition and out of reverence to blessed King Edward [the Confessor] Our predecessor, and for the Soul of Our father the lord King John, and for the salvation of Our own Soul and for the Souls of Our Ancestors and heirs, have granted and by this Our present Charter have confirmed for Ourselves and for Our heirs for ever to God and to the Church of Saint Mary of Hurley, which is a cell to the Abbey of Westminster, and to Richard Prior of Hurley and to the monks there serving God and to their successors, all the lands and gifts of lands, men, alms, Effects, Rents, possessions conferred by Our predecessors or by other faithful [persons] in times past or present, or such as shall in the future be conferred by Us or by Our successors Kings of the English

or by other faithful [persons] or in any other way rightly acquired or hereafter to be acquired alike in churches as in matters and possessions ecclesiastic or [in matters] secular as We have conceded and by Our Charter have confirmed to God and to the Church of Saint Peter of Westminster and to the glorious King Edward Our special patron and to other cells of the aforesaid Abbey of Westminster<sup>1</sup> together with all the liberties and free customs as are contained below in this Our present charter. Wherefore We will and strictly command for Ourselves and for Our heirs that the aforesaid Church of Hurley, a cell to Westminster, and the aforesaid prior and monks and their successors have and hold their Churches, men, lands, alms, Effects, Rents, and possessions with all their liberties and free customs and quittances in wood and plain, in meadows and pastures, in Waters and mills, in roads and footways, in stanks and stews, in marshes [mariscis] and in fisheries, in granges and thickets within the burgh and outside it and in all other places in feast time and otherwise, with soc and sac and toll and team, Infangthef, Outfangthef, Wergildthef, Hamsoken and Grithbreche and Bloodwit, Infang and Forfang and Fightwite, Fledwite and Ferdwit and Hankwit and Leirwit and Flemewite and Flemenefrit and breach of prison and murder and larceny and concerning money which pertains

<sup>1</sup> The other cells were Great Malvern, St. Bartholomew's at Sudbury, and the Nunnery at Kilborne.

to murder or larceny and forestal in season and out of season and together with all causes which exist or can exist. We grant likewise in perpetuity that the said church of Hurley a cell to Westminster and the aforesaid Prior and monks be quit from all amercements [misericordiis] and that they and all their men be free in regard to the holdings which they occupy of the said Prior from all schot and tax and all aids of the Kings, the sheriffs and their servants, and from amercement and fine of the County and hidage and carucage and Danegeld and hornegeld and Wapentake and tallage, Lestage and Stallage, Shewing, Miskenning, mundbrech, Burgh-breche, [taxes levied by] Shires and hundreds, from Sanimotes, pleas and plaints, assizes, views and summonses and from the carriage of treasure [de thesauro ducendo] and from Warda and Wardpeny and Averypeny and Hundredpeny and bordhalfpeny and Tedingpeny and all aids [for constructing] castles, parks, walls, fishponds and bridges, enclosure duty, and all carriage duty and sumage and freight-duty and building of royal houses and all kind of work. And We forbid that the woods of the aforesaid Prior and monks be seized for the aforesaid works or any other [works] by any means, and likewise their corn [or the corn] of their men or anything of their effects [We forbid] to be seized for the defending of castles. We will that freely and sufficiently without any incidence of chiminage or other

hindrance they may take [wood] from all their woods for their own uses when they may wish and that they be not on that account put in forfeit or amercement in respect of waste or that they be placed under amercement. Moreover all their lands and encroachments already made and all their assarts and those of their men who are not Earls or Barons already made and which shall hereafter be made with royal assent in their favour for ever We quit claim from waste and regard and view of foresters, and as regards all other [fines] which affect the forest or the forestry and that they and their successors for ever and their men aforesaid so far as their holdings which they occupy under them are concerned shall be quit from the obligation of cutting their dogs' feet [de canum expeditione]. We command likewise that the said Prior and monks and their men so far as the holdings which they occupy under them are concerned be free and quit from all toll in every market and in all fairs and in all crossing of bridges over water, roads or sea throughout the whole of Our Kingdom and throughout all Our territories in which We can grant liberties to them and that all their merchandises and those of their men shall likewise be quit in the aforesaid places from all toll. We grant likewise to the aforesaid Prior and monks and their successors that they have the view of frank-pledge in all their lands and holdings with the right to plead for satisfaction for the unlawful

removal of their cattle [cum placito vetiti namii] and together with fines for the license of agreement [licencia concordandi]. Moreover We grant and confirm that if any of their men not being an Earl or Baron who for any crime of his deserves to lose life or limb or has either fled and refused to stand his trial [et iudicio stare] or has committed any other offence for which he ought to lose his chattels wherever justice ought to be done whether in Our Court or in any other Court those chattels shall belong to the aforesaid Prior and monks and it shall be lawful for them without disturbance of Our sheriffs, bailiffs and others to place themselves in possession of the aforesaid chattels in the aforesaid cases and in other cases where Our bailiffs (if such chattels belong to Us) have the power and the right to seize chattels into Our hands. Moreover We grant that the animals which are called Wayf [found] in their fee may be theirs unless any one shall have followed them who may have the desire and the power to prove that they are his, and unless such animals have been demanded and followed within proper terms according to the custom of the country. And if any one of the tenants of the aforesaid Prior and monks shall have forfeited his fee which he holds of the aforesaid Prior and monks It shall be lawful for these aforesaid [Prior and monks] to place themselves in seisin of their fee itself and to possess the fee itself with its appurtenances notwithstanding that We have

been accustomed to take possession of the fees of fugitives and felons for a year and a day. And if any one of the tenants or their men except Earls and Barons be amerced before Our Justices, Sheriffs, Constables, Foresters, their bailiffs or other of Our servants whatever their condition may have been, for any cause fault or forfeiture, the said Prior and monks shall have all the penalties [mercias] amercements and fines [fines] for licence of agreement and their distraints without any contradiction. And if by chance—by any accident—through Our bailiff or [the bailiffs] of Our heirs the said fines and amercements shall have been collected by Our Exchequer or [the Exchequer] of Our heirs under the inspection of the Treasurer for the time being they shall be returned to the same Prior and his successors without diminution. We grant likewise to the same [Prior and his successors] and by this Our charter for Ourselves and Our heirs confirm—that if by chance any of the aforesaid shall not make use of the liberty [conceded to them] nevertheless they may use it for the future. And We forbid any one hereafter to oppress or disturb the aforesaid prior and monks or to molest or injure them or to allow any one to do so, and We forbid that [any one] implead [them] in respect of any holding of theirs which they may occupy except before Us Ourselves and Our heirs or Our Justices. We grant likewise to the same [Prior and monks and their successors] that

no one shall have the power to enter upon their fee or to have or retain their lands except with the consent of the Prior for the time being. All these aforesaid [privileges] We grant and confirm to them in pure and perpetual alms [in puram et perpetuam elemosinam] with all liberties and free customs which the royal power freely can confer on any religious house for the love of God and for the soul of the Lord King John Our father and for the souls of all Our Ancestors and successors And We forbid under [the penalty of] Our forfeiture that any Justice, Sheriff, Constable, Forester or their servant interpose himself in the matter of their lands, Rents, possessions and woods in a great matter or in the smallest against this Our charter or that they transgress against them or their men in any particular because We have taken them and all their effects and possessions and [those] of their men into Our custody and special protection.

These being witnesses—William, Earl of Albemarle ; Walter Marshal ; Gilbert Bassett ; Ralph fitz Nicholas ; Godfrey de Craucumbe ; Amauric de St. Amand ; Robert de Mucegros ; Henry de Capella ; Geoffrey Despencer ; John de Plesssetis ; Bartholomew de Saukevill ; and others. Given by the hand of the Venerable Father Ralph [de Nevile] Bishop of Chichester, Our Chancellor, at Woodstock on the twenty seventh day of February in the twentieth year of Our Reign. [1236].

## GLOSSARY (FROM THE BEST AUTHORITIES).

*Soc*—a liberty granted by the King. *Sac*—jurisdiction in matters of dispute. *Team* or *Theam*—royalty granted to the Lord of the Manor for the having, restraining and judging of bondmen and villeins. *Infangthef*—the power of taking and judging a thief within the Lord's manor. *Outfangthef*—the power of taking and judging a thief whereby a Lord was enabled to call any man dwelling in his manor and taken for felony in another place out of his fee to judgment in his own court. *Wergildthef*—a fine for escape of a thief. *Hamsoken*—the liberty or privilege of a man's own house. *Griθbreche*—breach of the peace. *Bloodwit*—the fine imposed for drawing blood. *Infang*—“quietantia prioris prise ratione convivii.” *Forfang*—the taking of provision from any one in fairs or markets before the King's purveyors are served with necessaries for His Majesty. *Fightwite*—a fine for breach of the peace. *Fledwite*—in our ancient law signifies a discharge from amercements, where a person having been a fugitive comes to the peace of our Lord King of his own accord or with licence. *Ferdwit*—a fine imposed on persons for not going forth on a military expedition. *Hankwit*—a liberty granted to a person whereby he is quit of a felon or thief hanged without judgment, or escaped out of custody. *Leirwit*—“mulcta

adulterii." *Flemeswite*—liberty to seize the chattels of a fugitive. *Flemenefrit*—the receiving or relieving of a fugitive or outlaw. *Forestal*—forestalling in our law is the bargaining for any corn, cattle, or other merchandise by the way as they come to fairs or markets to be sold before they are brought thither, to the intent to sell the same again at a higher and dearer price. *Schot*—a tax generally. *Carucage*—a tribute imposed on every plough for the public service. *Danegelt*—a tax or tribute of 1s. and after of 2s. on every hide of land through the realm laid upon our ancestors the Saxons by the Danes, when they lorded it here. According to some accounts, this tax was levied for clearing the seas of *Danish* pirates, which heretofore greatly annoyed our coasts ; but King Ethelred being much distressed by the continued invasions of the *Danes*, to procure his peace was compelled to charge his people with very heavy payments called *Danegelt*, which he paid to *Danes* at several times. *Hornegeld*—a tax within a forest, to be paid for horned beasts. *Wapentake*—seems to be of a Danish original, and to be so called for this reason ; when first this kingdom or part of it was divided into *wapentakes* he who was chief of the *wapentake* or hundred, as soon as he entered upon his office, appeared in the field on a certain day on horseback with a pike in his hand, and all the chief men of the hundred met him there with their lances and touched his pike, which was a sign that they were firmly

united to each other, by the touching of their weapons. *Tallage*—an aid demandable of demesne lands at the will of the lord. *Lestage*, or *Lastage*—a custom exacted in some fairs and markets, to carry things bought where one will; but it is also taken as being the ballast or lading of a ship, by the statute 21 Richard II. cap. 18. Another author says that *Lastage* is properly that custom which is paid for wares sold by the *last* [a certain weight or measure], as herrings, pitch, &c. *Stallage*—the liberty or right of pitching and erecting stalls in fairs or markets: or the money paid for the same. *Shewing*—is specially used to be quit of attachment in a court, in plaints *shewed* and not avoided. *Miskenning*—“variatio loquele,” a shifting of the ground of an action after it has come into court; commonly the fine imposed for such variation, levied on very trivial occasions and abolished by charter frequently as a privilege. *Mundbrech*—some would have mundbrech to signify an infringement of privilege; though of later times is it expounded *clausarum fractionem*, a breach of *mounds*, by which name ditches and fences are called in many parts of England. And we say, when lands are fenced in and hedged, that they are mounded. *Burgh-breche*—a fine imposed on a community of a town, for the breach of the peace, etc. *Swanimote* or *Swainmote*—a court touching matters of the forests held by charter of the forest thrice a year, before the verderers as judges. “*De thesauro ducendo*”—

the freedom accorded to the monks from ‘ carrying treasure’ was a relaxation in their favour of a noticeable order. *Warda*—the custody of a town or castle which the inhabitants were bound to keep at their own charge. *Wardpeny*—money paid and contributed to watch and ward. *Averpeny*—money paid towards the king’s *averages* or carriages, or to be freed thereof. *Hundredpeny*—money collected by the Sheriff or lord of the hundred, “in oneris sui subsidium.” *Bordhalfpeny*—a small toll by custom paid to the lord of the town for setting up *boards*, tables, booths, &c., in fairs and markets. *Tedingpeny*—a small duty or payment to the sheriff from each *tithing*, towards the charge of keeping courts, etc., from which some of the religious were exempted by Charters from the king. *Sumage*—toll for carriage or horseback. *Chimimage*—toll due by custom for having a way through the forest lands. *Assarts*—grubbed lands. *Waste and reward*—money paid for detecting felony. “*De canum expeditatione*”—the cutting of the dogs’ feet, here referred to, means that the owners of dogs who came under the forestry laws were compelled to expedite the ball of the dog’s fore feet—to protect the King’s game. The ball of the foot of a mastiff was not to be taken out, but the three claws of the off forefoot were to be cut off by the skin. *View of frank-pledge*—it was the ancient custom of this country (borrowed from the Lombards) that every freeborn man

at the age of fourteen (religious persons, clerks, &c., excepted) should give security for his truth towards the king and his subjects. And a certain number of neighbours usually became bound one for another to "see" each man of their *pledge* forthcoming at all times, or to answer the transgression due by any gone away. *Wayf*—goods found but claimed by nobody, *i.e.*, *waived*.

---

#### A CHARTER OF HENRY IV.

For the Prior and Convent of Hurley

To all those to whom etc., greeting.  
Know that We considering that the Church, belfry and houses of the priory of Hurley within our forest<sup>1</sup> of Windsor, which is of the foundation

<sup>1</sup> It is mentioned in the *Close Rolls* (Hen. III., 1233 m. 2) that on Oct. 4, 1233, the king ordered P. de Ryvall', to allow the Prior of Hurley [Richard le Gras] to have 20 trunks of trees [*fusta*] from the forest "de Windlesor," for the repair of Hurley Church. "*De fustis datis. Mandatum est P. de Ryvall' quod habere faciat priori de Hurl' XX fusta in foresta de Windlesor' ad operationem ecclesie sue de Hurl', de dono regis. Teste ut supra.*"

of the progenitors of 'Mary lately Our dearest Consort, deceased, and of Our patronage are so dilapidated and in such a ruinous condition that the aforesaid Prior and Convent of the aforesaid Priory have not sufficient means for the repair of the Church, belfry and houses aforesaid, as We have heard, We of Our special favour with the assent of Our council have granted to the same Prior and Convent the license of cutting down and selling and of receiving to their own particular uses wood suitable for timber and other wood to the value of a hundred marks out of their own particular wood within Our forest aforesaid for the repair of the Church, belfry and houses aforesaid free from disturbance without impeachment at the hands of Ourselves or Our servants whomsoever, save always Our vert and venison [viridi et feris] which are

<sup>1</sup> Mary de Bohun became the (first) wife of Henry IV., while he was Earl of Derby. She was the mother of Henry V., and all the other children of her husband. She was descended from Geoffrey de Mandeville (I). the founder of Hurley Priory, through Beatrix his granddaughter. So great a benefactor was Hen. IV. to Hurley Priory that William of Ipswich, whilst Prior of Hurley, appended the following to a grant, made (on May 13th, 1387) to Peter Peterwych, of food and a room in Hurley Priory for life, viz. : "ad reverenciam et instantiam Nobilissimi ac illustrissimi domini viri ac fundatoris domus nostre domini Henrici comitis Derby, etc., etc." (No. 489). The Earl of Derby did so much for the Priory out of reverence to the memory of his wife's ancestor, G. de M. (I).

under the supervision of Our foresters and other officials on the spot for the [then] existing time.

In [witness] whereof, etc. The King being witness at Westminster the 16th day of May.

By writ of privy seal.

[1401].



## HURLEY PRIORS.

In "St. Mary's, Hurley," I gave a list of Priors of Hurley which has been improved since 1898. One alteration made in the list is the assignment of a much earlier date to William Seger. On further scrutiny of his undated deed of Grant (No. 119) to Randulf his heirs and assigns, which was at first attributed to the end of the thirteenth century, it must (clearly) belong to the latter part of the twelfth century, instead of to the later date. Internal evidence leaves no doubt that the Instrument now at Westminster is a renewed edition of the original Deed. There is nothing very uncommon in such renewal, which if sealed would have all the force of the older Deed : and although at the present moment there is no seal attached to the parchment, there is a slit in the lower turned-up margin where the label of a seal has once been.

Two Priors of Hurley are conspicuous amongst the rest, from having become afterwards, respectively, Abbots of Westminster and of Evesham, viz.: Ralph de Arundel, whose real surname was Papylon ; and Richard le Gras (or le Grey).

Ralph de Arundel appears to have been born in London ; and we further learn from *Widmore's* notice of him that he was brought

up as a monk at Westminster, and became almoner of the Abbey, having been appointed to that office by Abbot Laurence, with whom he was a great favourite. Eventually, Ralph's kindly patron made him Prior of Hurley, on the death or resignation of William Seger. Many years later he was unanimously elected by the Prior and monks at Westminster as their Abbot, in succession to William Postard ; and his election was fully confirmed by King John at Northampton on November 30, 1200. In 1213, on account of misunderstandings with the Convent, he was deposed from office, by Nicholas, Bishop of Tusculum—acting as the Pope's legate, and was granted the manors of Sunbury and Teddington, for his support. He died in 1223, and was the first Abbot to be buried in the body of Westminster Abbey.

Richard le Gras was Prior of Hurley at the time of his despatch as head of the Embassy—to negotiate the marriage of Henry III. with Eleanor of Provence, which took place on January 14th, 1236. Later in that same year, Richard le Gras became Abbot of Evesham : and on October 19th, 1236, a mandate was issued to the guardian of Evesham Abbey “to give seisin of the Abbey with all its lands and possessions to Richard, sometime Prior of Hurley, the King having given the royal assent to the confirmation made by Bishop A. [Alexander Stavenby] of Coventry and Lichfield,

by authority of the Pope, of the said Richard as Abbot of Evesham. Writ *de intendendo* to the tenants of the Abbey.<sup>1</sup> This Richard le Gras was afterwards promoted to be Keeper of the Great Seal: and whilst on a mission to France on the King's service, he died, shortly before his consecration to the Bishopric of Lichfield and Coventry.

Whilst Thomas de Cumbrok was Prior [1352-63], a certain John Husebond left £100 to provide a secular priest to celebrate Mass yearly at S.S. Andrew and Mary Magdalene in Maydenhuth for the souls of himself, Richard Bryde and Margery his wife: and on April 14, 1352<sup>2</sup>, at Westminster, Brother Thos. de Cumbrok, prior of Hurle, acknowledges for himself and convent that they owe to John Reyner, executor of the will of John Husebond, late citizen and cornmonger of London, 100 *li.*, to be levied, in default of payment, of his lands and chattels and ecclesiastical goods in co. Berks; and on June 20th of the same year<sup>2</sup> a quadruple deed was enrolled (at Westminster), reciting the bequest, in which Prior de Cumbrok and the Convent of Hurley acknowledge the receipt of the £100, and bind themselves in default of their acting up to their part of the covenant to grant the Vicars of Cokeham and Bray 60 *li.* yearly rent "to find a fit secular chaplain until the Prior, etc., find one."

<sup>1</sup> Pat. Roll, 21, Hen. III. m. 13.

<sup>2</sup> Close Roll 26 Edw. III.

In 1452, whilst John Saffrey, or Sauery, was Prior,—Hen. VI. vouchsafed a general pardon to the Hurley monks for all offences they might have committed, unless any of them should have murdered Adam Moleyns, or Molyneux, Bishop of Chichester, or William Ayscough, Bishop of Sarum, (the latter being Bishop of the Diocese in which Hurley was then situated), or aided and abetted those who had killed them. Bishop Moleyns had made himself unpopular because—when he was sent by the King to negotiate peace with France, in 1448—he was generally regarded as largely responsible for the surrender (in 1449) of Maine and Anjou, and was murdered at Portsmouth, as a traitor.—Bishop Ayscough was almost entirely a Courtier rather than a Father in God to his Diocese. One day when, as a very unusual occurrence, he had left Court and was celebrating mass at Edington in Wiltshire, he was dragged from the Altar in his robes to a neighbouring hill and having been there murdered, his body was left naked to the skin in the fields unburied.

Dom. Edward Downe, like many of his predecessors no doubt, encouraged netting in the Thames, which was close to the Priory. The reason why monasteries so often occurred on the banks of a river is, of course, because fish-food formed so large a staple in monastic dietary. In 1461, Jeffrey Poole, Esquire [squier] of Medmenham let his fishing rights, as lord of

the manor over the Buckinghamshire half of the Thames, to the Hurley monks,—who held the fishing rights over the Berkshire half of the river, in their own demesne. Newlock weir is clearly referred to in the Lease (No. 530); in fact the word “lockestaple” occurs in the wording of the Instrument. The lease is granted,—of their water and fishing within the lordship of Medmenham, with a weir and “lockestaple” in manner and form “as old Sprott of Medmenham late held wyth all hole draughtys and all oder maner of fysshynge parteyning to the same.” The lease (for 80 years) reserved the right of the owner at Medmenham to fish six times a year with a draught net, the said Priory finding them “fysshing nettys with fishers bootys and servaunts” The rent was twenty-six shillings and eightpence a year. Many a lusty salmon, brought in from the fishing boats or from the fish stews which are still in Lady Place, used to supply the brethren with their dinner in the days of old. They dearly loved their dinner. The Thames at that time was a *river* in the proper sense of the word, instead of being as now a mere series of reservoirs from Lechlade to Richmond: and one of the principal recreations of the brethren, in the fishing season, was to work their drag nets between Temple and the meadows above Medmenham. Their dining hall, with its picturesque Gothic windows, still stands on the banks of the Thames, the same as in the days when it

was strewn all over with rushes as a carpet, and when the ‘marshal,’ after handling his wand of office, led the way (No. 119) into the Refectory at dinner time, on the ringing of the monastery bell. The dinner hour, as I have hinted, was a very important epoch of the day with the monks. Monastic beer was notoriously excellent, although drunkenness was always spoken of with reprobation. The hospitality of the convents is notorious.

Deed No. 119 just referred to, incidentally gives us some idea of the every day life of the Benedictines as tillers of the soil. The well-known aphorism connected with that community, viz.: “wherever they carried the cross they carried the plough,” was amply illustrated during the well nigh four centuries and a half of the existence of Hurley Priory. In fact the monasteries may be said to have taught us agriculture, as a nation.

The ‘marshals’ who in a long sequence of elected order were, simply, the village blacksmiths of the period, had plenty of employment in shoeing the monks’ horses and oxen for ploughing their broad acres in Hurley manor. The blacksmiths were an order by themselves, with certain other duties besides those which kept them busy at the village forge. All Hurley folk remember well the ancient smithy in the “Blacksmith’s corner,” pulled down—alas!—more than ten years ago.

The Deed relates how William Seger, Prior of Hurley, with the consent of the Convent, made the usual contract with one Randulf, the representative village smith of the period. The marshal “pro suo homagio et servicio suo” was to have the use of half a virgate of land in the Severn meadow [*Sauerne* it is called in the Deed] at the rent of twopence yearly. This meadow, now forms part of Temple Park. A footpath leads through it from the middle of Hurley village into the western end of Witney’s Lane, on the road to Marlow—“Et etiam ad hidagium,” one penny for all services,—so the grant goes on. And then on his part, the marshal covenants that, besides his blacksmith’s work, he is to serve in the Refectory [in aula nostra] and carry his wand of office, “prout decet”: and an express stipulation is made, in black and white, that when he shoes horses and oxen [*affris*] for the plough, all the new iron necessary for the purpose shall be at the expense of Hurley Priory [*sumptibus nostris*] and that Randulf is to have all the worn out shoes and shoe-nails [*cum pertinenciis*] as his perquisites. Further, he contracts to scrub and brush up [*scobare ac mundare*] the Refectory floor as often as necessary; and it is further expressly contracted between the parties that the said marshal shall have the old straw and brushings up [*vetus stramen ac pulverem*], after he has fetched the clean straw from the granges [*barns*] hard-by and the ‘viride’ [green stuff—

rushes] from the Lady Place grounds [in dominico nostro], which he had himself contracted to bring up from the rush-beds, and to strew on the floor of the monks' dining room. And then finally, as a reward for all this dry and dusty work, he is graciously accorded, also in black and white,—“cum aliqua urbanitate” a snack of bread and convent beer [servisie]. In the middle ages, nothing was of too small notice to put down in a bond of agreement. To this fact we are indebted for the marvellous history of every day monastic life with which the Hurley Charters and Deeds at Westminster supply us. “Many have told of the monks of old,” but there are few who possess such a cornucopia of news as to what they did as is supplied to us through the dead hand of this wonderful collection of Charters and Deeds.

It is a new idea to many of us that whereas we have regarded the word “marshal” as “master of the horse”—applied, that is, as a title of honour—in reality it means nothing else than “horse-servant” in its etymological derivation,—a *farrier* or *groom*. Concerning the word “marshal,” Professor Skeat remarks, “it rose to be a title of honour, like *constable*.” Cut and dried, its root-derivation is nothing else than *mare*—the female of horse, and *schalb*, middle high German, a servant. Thus, whenever we give a street urchin a penny to hold our horse,

he is literally—as well as being actually for the moment the master of the horse—the “marshal” of it, too!

At length, the list of Hurley Priors came to an end. That predatory Monarch Henry VIII. dissolved the monasteries. Hurley Priory was suppressed in 1535; and on June 1st, 1536, Hurley Great Wood was handed over to Westminster Abbey in exchange for Covent Garden and other land: whilst in the following month (July 3rd), all the rest of the manor was exchanged with Westminster Abbey for property in London and around it, including Hyde Park. Thus ends monastic life in Hurley village.



## A LIST OF HURLEY PRIORS.

"Now I think on't,  
They should be good men; their affairs as righteous:  
But all hoods make not monks."

	EARLIEST KNOWN OR PROBABLE DATE.	LATEST KNOWN OR PROBABLE DATE.
Æiric	before 1141	
William	not later than 1144	
John de Rocella	1166 at earliest	
William Seger		
Ralph de Arundel	not later than 1175	1200
Robert	1200	
William de Stanford	1221-2	
Richard le Gras	1231	1236
Sanson de Eswelle	1236	
Theobald	1247	1255
Geoffrey	1258	
John de Lyra	1274	
Walter de London	1279	1285
Adam	1292-93	1295
Richard de Waledene	1299	1304
Alexander de Neuport	1305	1309
Henry	1311	1313
Richard de Coleworth	1320	1336
John de Tothale	1340	1349
Thomas de Cumbrok	1352	1363
William de Bromle	1365	1375

William Ypeswyche	1380	1400
John Feryng	1409	1415
William Pulburgh	1416	1417
John Saffrey	1420	1452
Edward Downe	1461	
Thomas Ruston	1468	1480
John Hilston	1487	1497
John Hampton	1501	
William Grawnt	1504	1510



## HURLEY PRIORY SEALS.

Seals have been the ordinary accompaniments of Charters and Deeds from the earliest times. The Anglo-Saxon *sigle*, an ornament, is derived directly from the Latin *sigillum*. Before the Norman Conquest the English did not seal with wax, but made a golden cross on the parchment, and sometimes an impression on a piece of lead, hung on to the grant with a silken string. A ‘Papal Bull’ was so called because the edict of the Pope was attested by a ‘bulla’ or leaden seal attached to it. Kings’ grants were usually sealed with *green* wax, to signify that the act continued for ever fresh and in force. A seal was accounted an abundant authorisation of a grant without any sign manual or witnesses of any sort.

I have, amongst numerous other casts of seals, associated with Hurley Priory in some form or other, specimens of Common Priory Seals used by the Prior and Convent at three distinct periods.

The earliest of these three periods connects itself with the time of Ralph de Arundel. He was Prior of Hurley from some date not later than 1175 until Novr. 30, 1200, when he became Abbot of Westminster. The seals of each of these periods, all of them representing the Annunciation of the Blessed Virgin Mary, are oval in shape.



The Common Seal  
of  
Hurley Priory.  
(Second Period.)



I have two casts of the First Common Seal of Hurley Priory. One of the documents to which this Seal is attached is a Grant by Prior Ralph de Arundel, of 4 shillings yearly—charged on the Church of Easthampstead (No. 27), and to be paid to the Secretary of Hurley Priory in order to enable the Sacristan of S. Mary's, Hurley to burn a full number of wax tapers at the Mass of St. Mary of Hurley. *Madox* states, in his *Formulare Anglicanum* (1702), that the following inscription is on this seal—SIGILLVM ECCLIE SCE DEI GENETRICIS DE HERLEIE, but there is scarcely a particle of this legend now remaining on any one of the three casts of this second Priory Seal that I have in my possession. The Prior's own individual Seal and Counter-seal are also attached to this Deed of Grant.

The figures on the First Common Seal of the Priory are both well designed. They are in standing positions. The Blessed Virgin Mary's attitude is one of submissive surprise. The Archangel Gabriel is crowned. A Dove hovers overhead. The impressions on both casts are somewhat worn. There is a reverse, or counterseal, to this Priory Seal. It represents an ancient Eastern gem, possibly a ring. A deity is seated, opposite to whom is a votary—the right hand of each being extended upwards and holding a rather large cup. A portion of an inscription is on the rim, viz. : . . . . . CALICEM SALUTAR . . . . .

The Second Common Seal is  $3\frac{1}{2}$  in. in length. A tall lily in a pot stands between the B.V.M. and the Archangel. In the base,—a Prior, holding a pastoral staff in his right hand, looks up in adoration. An estoile of six points and a rose are on either side of him. The legend on the rim is  $\text{+ S' CONMVNE CAPITVLI PRIORAT' HVRLEY}$ . I have three casts of this most beautiful seal, made from three different impressions. I give an engraving of the best of these impressions, herewith. This impression is taken (Brit. Mus. No.—civ.-41) from a seal attached to No. 130, which is a grant by Frater Ricardus de Waledene, Prior, and the Convent of Hurley to Reginald de la Hale and John his son, of an enclosure of land between La Cnolle [Knowl Hill] and Denesfeld, a portion of Bartlett's Farm, at the present day. Dated, Friday before F. of Nat. of B.V.M. [8th September], 31 Edw. I [1303].

We know that this Second Common Seal of the Priory was in use from, at any rate, 1286 or 1299 (or from some date between these years),—until October 6 [1369].

The Third Common Seal (No. 549) is badly broken, although the upper part is perfect. It is a chaste specimen of Perpendicular niche work. On the dexter side of it the Norman chevron (zig-zag) work which ornaments the

large South and West doorways of Hurley Church at the present time) is clearly traceable : and, on both sides, the Decorated window in the chancel is portrayed. A small lily in a pot separates the kneeling figure of the Archangel and the B.V.M. St. Gabriel holds a scroll in his hands, on which AVE M is just legible. An aureole encircles the head of Our Lady, who has flowing hair and is in a standing position. Each figure is under a canopy. The words SIGILLUM . . . de HURLE: are plain on the rim, which is interspersed with palm branches.

A fragment of this seal is attached to No. 549, which is a grant by John Noreys of Wynkefeld (Winkfield) of an acre of land to John Hilston, Prior and the Convent of Hurley, in exchange for a small garden and an acre of arable land, all in Hurley. Dated, September 16th, 13 Hen. VII. [1497].



jurisconsult, from Woodhay [Widehaia] attended to watch the case for the defendant, who was also supported by Philip, Chaplain of Etinged' [Yattendon]. All of these last mentioned, who attended *ex parte* Ralph, came from the near neighbourhood of Esegareston, Meidencot and Sortescumb, places situated only a few miles from Newbury,—the Ulvritone of the Domesday Survey.

The whole of this party are given as witnesses at the foot of this interesting Deed. The Original is at this moment in the Muniment Room of Westminster Abbey, where it has found sanctuary since that memorable year 1535, when Hurley Priory was dissolved.

My readers will be interested at some of the items of Tythe which the Court, in 1190, assigned as due to Hurley Priory from the acres of Meidencot and Sortescumb, when the verdict of the Archdeacon was recorded against the parson of Esegareston: for instance—"the third part of the tythes of lambs, young pigs, cheeses, flax and wool, and pannage [acorns and mast of beech trees, &c., from the woods], and of all things living and dead of which tythe ought to be given."

Such is a sketch of what happened at Reading, when, as the deed relating it sums up,—"This Covenant was made in the Church of St. Mary

of Reading, in the year of the Incarnation of our Lord, 1190, confirmed by corporal oath on either side."

At the time when this happened at Reading, Hurley Priory had been in existence about a hundred and four years.

Later on, the Prior and Convent of Hurley were by no means permitted by the Bishop to have it all their own way in the matter of the appointment and dismissal of the Vicars. Seventy eight years after the event which I have recorded,—in England it was ordained by the constitution of Othobon (1268) that all religious houses which possessed Churches in *proprios usus* should present vicars, with competent endowment, to the Diocesan for institution within the space of six months ; and that if they failed to do so the Bishop was thereby empowered to fill up the vacancy.<sup>1</sup> And when Bishop Simon of Ghent came to the Episcopal throne of Salisbury in 1297, he immediately asserted himself as a reformer of abuses of all kinds, in connexion with Church appointments and matters of clerical *régime*. No sooner had he been consecrated to the See of New Sarum than he at once launched out in a letter to Pope Boniface VIII concerning scandals which had arisen in Salisbury on account of the

<sup>1</sup> Cf. Lord Stowell's remarks in Duke of Portland v. Bingham, 1 Hagg, Consist p. 157, *et sqq.*

appointment of many foreigners to stalls in the Cathedral.<sup>1</sup> The Bishop, although himself from Belgium, resented interference in connexion with his Cathedral—that most beautiful shrine of *entirely* Early English architecture that now exists. When writing of the Early English style Mr. Rickman remarks,—“of this style we have the great advantage of one building remaining, worked in its best manner . . . ; this is Salisbury Cathedral.”

Bishop Simon of Ghent exerted himself strenuously in all parts of his extensive diocese, which, since 1075, had included the whole of Wiltshire, Dorsetshire and Berkshire. The Chancellor and the treasurer of the Cathedral were hauled over the coals for non-residence on their cures. At Fyfield, in Berkshire, an appointment had been made of a person who was not in Holy Orders at all. A glance at the “Gandavo” [Ghent] Register at Salisbury Cathedral, informs us that Bishop Simon was particular in his enquiries as to the rights of Hurley Priory in the matter of presentation to the Vicarage of Hurley and also as to the endowments belonging to the Vicarage or their value; and whether the Vicarage was one established in proper form. He vastly raised the standard of clerical life—and showed himself to be a power in the land,—from Selwood Forest to Windsor; from the border-land of the Thames to Corfe Castle near the sea.

<sup>1</sup> Cf. Salisbury Dioc.: Hist. p. 117.

Berkshire was detached from the Diocese of Salisbury and annexed to the Diocese of Oxford in October 1836.

The duration, however, of Bishop Simon's energetic Episcopate was not longer than some eighteen years. Bishop Herbert Poor, of Old Sarum—before the foundations of the present Salisbury Cathedral, were laid in 1220,—had been instrumental in drawing up what is called (in the Osmund Register) “the new Constitution,” containing a number of new Statutes relating to the residence of the Canons, the condition of the Vicars, their conduct and “habit” in choir; and later on in the time of Bishop Bingham and his successors, other statutes were passed about various matters. Whilst tabulating these statutes into a code Bishop Simon died, in 1315, leaving the completion of this piece of Episcopal work to his successor Bishop Roger de Morteval. In 1324 this new code was promulgated.

Bishop Simon of Ghent was, for his energy in correcting abuses, a veritable prototype of Bishop Samuel Wilberforce of Oxford,—some five hundred and fifty years later on in the history of the English Church.

How far Bishop Simon left his mark permanently upon the English Church, in the matter of clerical order and behaviour as well

as in other particulars, we must search the page of history between his days and our own to discover. The monastic bodies were always struggling to free themselves from Episcopal “interference,”—which they considered the lawful jurisdiction of the Bishop to be.

Certain it is that great abuses in the monasteries were rife in the reign of Richard II. [1377-1399]. The constitution of Othobon [1268], to which I have already referred, had proved insufficient to curtail the high-handedness of the monasteries, so far as the salaries and general *status quo* of the Vicars under them were concerned.

To such an extent at length had scandals increased that Parliament was obliged to interfere. The monasteries were treating the Vicars as mere drudges, to do their will. The appropriator was bound to find somebody *qui illi de temporalibus, episcopo spiritualibus, debeat respondere*. And, as a net result of all this, the parishes suffered so much from the appropriator’s neglect, that the legislature interposed. It was enacted by statute 15 Richard II. c. 6 that the Diocesan Bishop should appoint in proportion to the value of the particular Church a competent sum to be distributed amongst poor parishioners annually; and that the Vicarage should be *sufficiently* endowed. However, even then the Vicar was liable to be removed at any

minute at the mere whim of the appropriator, and was on this very account the less likely to insist on the legal sufficiency of the stipend ! In fact, never perhaps was that well known maxim—*Corruptio optimi pessima*—more conspicuously illustrated than in this.

And so, not many years later, in the statute 4 Hen. IV. c. 12, it was enacted that in future the Vicar of a Parish should always be a secular person, not a member of any religious house ; moreover, that he should be *perpetual* instead of *ad nutum removibilis*, as hitherto ; and further that he should be canonically instituted and inducted and be sufficiently endowed at the discretion of the Ordinary for these three express purposes, viz. :—“ to do divine service, to inform the people, and to keep hospitality.”<sup>1</sup>

The following extract from the remarks of Lord Stowell on appropriations in the case of the Duke of Portland *v.* Bingham, already referred to, is so interesting that I quote it at length, viz. :—“ There were two sorts of appropriations, or rather appropriation was authorised to be made with different privileges in two forms, the one *pleno jure sive utroque*

<sup>1</sup> *Blackstone*, in his chapter entitled “ Of the established authorities,” is particularly clear on all these points and I have borrowed from him as to the Vicars and their status. (*Cf.* Stephens’ Com. on Blackstone, vol. iii. p. 23).

*jure tam in spiritualibus quam in temporalibus*, where the interests in the benefice both temporal and spiritual were annexed to some religious house: and the other *non utroque jure* though *pleno jure*, where temporal interests only were conveyed” . . . . “In the first species the religious houses had the cure of souls and all rights, and performed the duties of the Church by its own members, or by stipendiary curates, and the distinction on this point is summarily described in a passage from the proceedings of the Court of Audience:—‘Cum Ecclesia conceditur alicui monasterio pleno jure in temporalibus tunc Episcopi debent instituere vicarium perpetuum, ubi vero unitur mense episcopali vel abbatiali et spectat ad illam pleno jure tam in spiritualibus quam in temporalibus tunc ponitur in ea presbyter temporalis ad nutum removibilis ad exercitium cure que principaliter residet in eo cuius mense est unita.’”

The exact position of Vicars in pre-Reformation days is fraught with difficulty, but so far as I can gather what I have said above is correct.



## VICARS OF HURLEY.

" So age by age, and year by year,  
His grace was handed on.' —HYMN.

DATE.	PATRON.	VICAR.
1190		Robert
<i>Temp.</i> Henry III.		Richard
<i>Temp.</i> Edward I.		John de Quercu
130 <sup>4</sup> <sub>5</sub> 6 Feb.	Hurley Priory	Adam de Schireborn <sup>1</sup>
1310 8 Kal. Oct.	,	William de Wyteneye <sup>2</sup>
	Institution.	
1335 17 Kal. Aug.		Walter de Helmeden <sup>3</sup>
1342 Id. May	Hurley Priory	Adam de Wyteneye <sup>2</sup>
1349 8 April	,	William de Woketon <sup>4</sup>
		William Hebbotastel
1351 15 April	Hurley Priory	William de Cornwall
136 <sup>2</sup> <sub>3</sub> 22 Feb.		John Athelard
1376 12 Oct.	Hurley Priory	John Grene
1400 7 July	,	Godfrey Petyt
1440 7 Dec.	Bishop of Salisbury	John Whatebrede
		Nicholas Pardon
1453 15 April	Hurley Priory	Edmund Spencer
1459 21 Aug.	,	John Page

<sup>1</sup> Adam de *Shirburn* (co. Oxon), formerly Vicar of Shirburn.

<sup>2</sup> William de *Witney* (co. Oxon).

<sup>3</sup> Walter de *Helmdon* (co. Northampton).

<sup>4</sup> William de *Woughton* (co. Buckingham).

14 <sup>5</sup> / <sub>6</sub> 7 March	Hurley Priory	Geoffrey Spergore
1488 20 Aug.	"	Walter Dudston
1503 24 Sept.		Edmund Aliard
1505 9 Nov.		Richard Webster
1507 14 April		Thomas Graunt
1541 10 Oct.	Charles Howard	James Holys
1552		William Rooke <sup>5</sup>
156 <sup>2</sup> / <sub>3</sub> Feb.	Queen Elizabeth	Ralph Marler
1565 17 Oct.	Richard Lovelace	Thomas Hudchmowghe
156 <sup>6</sup> / <sub>7</sub> 20 March	"	John Dobbes
1568 9 Oct.	"	Peter Russell
1570 26 Nov.	"	John Butler
158 <sup>0</sup> / <sub>1</sub> 20 Jan.	"	Thomas Maxwell
159 <sup>4</sup> / <sub>5</sub> 7 March	"	Henry Lovelace
1614 9 Aug.	Sir Richard Lovelace	Nathanael Cannon <sup>6</sup>
166 <sup>4</sup> / <sub>5</sub> 23 March	John 3rd Lord Lovelace	Richard Brogden
167 <sup>5</sup> / <sub>6</sub> 1 March	"	Samuel Rich <sup>7</sup>
1678 3 Sept.	"	Thomas Mason
1683 23 Nov.	"	Daniel Ayshford <sup>8</sup>
1723 20 Aug.	Robert Gayer	James Smith
1782 6 Feb.	Duke of Marlborough	Alban Thomas <sup>9</sup>

<sup>5</sup> William Rooke made his Will on Sept. 1, 1558, in which he left "mie bodie to be buried in the church porch of Hurley aforesaid."

<sup>6</sup> Nathanael Cannon was buried at Hurley on Feb. 12th, 166<sup>4</sup>/<sub>5</sub>, probably in the chancel, in which his wife Ellinor was buried on Aug. 21, 1647.

<sup>7</sup> Samuel Rich was deprived of the Living of Hurley.

<sup>8</sup> Daniel Ayshford was buried at Henley-on-Thames on Aug. 11th, 1723.

<sup>9</sup> Alban Thomas was buried in Hurley Churchyard on Aug. 20, 1789.

1789	8 Sept.	Duke of Marlborough	William Mavor <sup>10</sup>
1838	14 July	Hon. Henry Walker	Florence J. Wethered <sup>11</sup>
1868	5 Feb.	Florence T. Wethered	Florence T. Wethered <sup>12</sup>

<sup>10</sup> William Mavor was Rector of Bladon with Woodstock from July 20, 1810, until he died at Woodstock, on Dec. 29, 1837, and was buried there.

<sup>11</sup> Florence James Wethered died on Dec. 19, 1867, and was buried in Hurley Churchyard.

<sup>12</sup> Florence Thomas Wethered is the present Vicar.



## DIOCESAN HISTORY OF BERKSHIRE.

A.D.

- 635—Birinus made Bishop of the great West Saxon Diocese, including Berkshire.  
Bishop's Stool at Dorchester in Oxfordshire. Stool removed to Winchester by Bishop Heddi (in 683?).
- 909—Berkshire removed from the Diocese of Winchester and transferred to the See of Ramsbury, under Bishop Æthelstan, with Bishop's house at Sonning, Berkshire.
- 1058—Bishop Herman (consecrated Bishop of Ramsbury in 1045) obtained from Edward the Confessor the Diocese of Sherborne, which had been detached from the Winchester Diocese in 705. Bishop Herman united the Bishopric of Sherborne with the See of Ramsbury and fixed the Episcopal Stool at Sherborne.
- 1075—Bishop Herman removed the Episcopal Stool from Sherborne to Old Sarum, in consequence of a decree made by William the Conqueror.
- [1086-1087—Bishop Osmund of Old Sarum came to Hurley and re-dedicated Hurley Church, to the Blessed Virgin Mary].

A.D.

- 1220—On the Feast of St. Vitalis (April 28th), Bishop Richard Poor laid the (five) foundation stones of the present Salisbury Cathedral.
- 1542—Henry VIII. founded the Diocese of Oxford, out of the Diocese of Lincoln, and gave the Abbey Church of Osney as its Cathedral. In 1546 the Cathedral was moved to the Priory Church of St. Frideswide [Christ Church], Oxford.
- 1836—Berkshire was removed from the Diocese of Salisbury and added to the Diocese of Oxford, together with isolated places in Wiltshire.
- 1845—Buckinghamshire was removed from the Diocese of Lincoln and added to the Diocese of Oxford.
- 1909—The Diocese of Oxford now consists of the whole of the County of Oxford, together with very small pieces of Gloucestershire, Warwickshire and Northamptonshire: the whole of the County of Berks together with isolated places in Wiltshire: and the whole of the County of Buckingham.

## CORRIGENDA.

## (DATES).

On p.p. 11, 21 of "St. Mary's, Hurley" it is stated that Hurley Priory was "dissolved in 1536." This is incorrect, as the Priory was dissolved in 1535. The possessions of the Priory were granted by Hen. VIII. to Westminster Abbey in 1536, viz.:—on June 1st, 1536,<sup>1</sup> Westminster Abbey conveyed Covent Garden and some other land to the Crown in exchange for Hurley Great Wood: and on July 3, 1536,<sup>1</sup> the Abbot and Convent of Westminster conveyed land in and near London, including the manor of Hyde (Hyde Park), to the Crown; and, in consideration of this, the King granted to the Abbey the site of Hurley Priory with all the houses, etc., in and around the said site, as well as all those manors and tenements lying in Esthamsted, with the rectories of Hurley, Waltham St. Laurence and Streatley, and the advowsons and patronages of the Vicars of Hurley and Waltham St. Laurence, "with all Tythes, oblations, pensions, and other profits belonging to the said rectories" . . . . . "a

<sup>1</sup> Cf. p. 67., 'St Mary's, Hurley,' and No. 562 and note, p.p. 224, 225.

messuage and lands in Kingham [co. Oxf.] : the manor of Hurley : water-mill in Hurley : and other appurtenances."

On page 13 of "St. Mary's, Hurley," with reference to Edward the Confessor, instead of "His Mother, Emma of Normandy, had been married to Canute, the Dane, before she allied herself with Ethelred," the words should run "His Mother, Emma of Normandy, was married to Canute, the Dane, after the death of her first husband, Ethelred."

In "St. Mary's, Hurley" (p.p. 19, 20) it is stated that Geoffrey de Mandeville, 2nd Earl of Essex, died in 1169, whereas the correct year of his death is 1166.<sup>1</sup> The dates of no fewer than seven deeds (Nos. 18-24) are limited by this faulty, 1169, date : and on p. 70, the duration of William de Mandeville [3rd Earl]'s earldom is limited as 1169-1189, instead of 1166-1189.

[On p. 229 of St. Mary's, Hurley, instead of "(1166-1169)" read "(1166-1189)": and (lower down) instead of "on Charter No. 24" read "on Charter No. 23: and instead of "between 1179 and 1189" read "between 1166 and 1189."]

<sup>1</sup> Cf. Round's "Geoffrey de Mandeville" p. 242 : Eyton's 'Itinerary of Hen. II' (1878) p. 99 and note.

## APPENDIX.

It will be readily seen that, besides Charters and Deeds and Registers, I am indebted for not a little that is interesting in these pages to Charter Rolls, Patent Rolls, Close Rolls or Pipe Rolls. Rolls [Rotuli] are schedules of parchment which may be turned up with the hands in the shape of a pipe (hence the term *Pipe Rolls*). The only reference in the printed Calendar of Charter Rolls to Hurley Priory is the Charter of Henry III, of which I here give a translation. Mr. Sims tells us in his "Manual for the Genealogist, Topographer, Antiquary and Legal Professor (1888)" that the difference between documents entered in the Patent Rolls and those in the Close Rolls is that the King's Letters Patent are delivered *open*, having the Great Seal attached to the bottom. They are presumed to be of a public nature, whilst Close Rolls are records of such instruments as were despatched *closed* or *sealed up*, and were of a more private nature. The Pipe Rolls are identical with the Great Roll of the Exchequer, otherwise called the "Pipe Roll." The Great Roll of the Exchequer formerly contained the accounts of the whole revenue of the Crown.

F. T. W.









